

YUKON-KUSKOKWIM DELTA SUBSISTENCE

REGIONAL ADVISORY COUNCIL

PUBLIC MEETING

BETHEL, ALASKA

October 3 and 4, 1995

9:00 a.m.

BOARD MEMBERS:

MR. HARRY WILDE, Chairman

MR. ANTONE ANVIL

MR. ZECHARIAH CHALIAK

MR. DAVID O. DAVID

MR. FRITZ GEORGE

MR. PAUL MANUMIK

MR. MOSES NICOLAI

MR. GENE PELTOLA

MR. STEVEN WHITE

MR. JOHN ANDREW, Coordinator

Reported by: Karyn H. Chalem,
Registered Professional Reporter

P R O C E E D I N G S

MR. CHAIRMAN: This meeting is to come to order at 9:10. At this time I'll ask our secretary to make our roll call.

(Roll call taken)

MR. CHAIRMAN: Next welcome our new -- one of our new board members, Fritz George. We'll be glad you'll be aboard.

Maybe right now I'm going to ask the board to introduce themselves.

(Introduction of Board Members)

MR. CHAIRMAN: There's a couple more board members also will be here this afternoon.

(Continuation of introduction)

MR. BRELSFORD: Thank you, Mr. Chairman. I have a welcoming comment from Mitch Demientieff, the chairman of the Federal Subsistence Board. I think many of you realize that Mitch is the new chairman for the Federal Subsistence Board starting this year. He's a Doyon shareholder from Nenana, a long time subsistence holder, very active in the subsistence issues, and he wanted to offer a welcome to all of the councils all around the state for these fall meetings.

Trim, I have a copy for you, if that would help, and, Karyn, here's a copy. So these are the welcoming comments from Chairman of the Federal Board, Mitch Demientieff.

I'd like to welcome you to the fall 1995 Federal Subsistence Regional Council meetings. These fall meetings mark the beginning of a new cycle of decision making for the next set of annual subsistence regulations. These meetings are symbolic of the role of the regional councils in Federal subsistence management. They are the starting point from which next year's subsistence regulations are produced, and they are intended to ensure that subsistence users' needs are well accommodated in the subsistence regulations.

Just as the fall set of regional council meetings is meant to serve as the kickoff of the annual regulatory process, the regional councils themselves are meant to serve as the foundation for subsistence users' involvement in subsistence management.

The regional councils are a crucial link between subsistence users and the Federal Subsistence Board. The members of the councils all have direct, firsthand experience with subsistence, and they are leaders in their communities. Collectively, the council members provide the board with unparalleled insight into the needs of subsistence users statewide and, by statute, their recommendations carry a great deal of weight in subsistence decisions.

This begins the third full year that the regional councils have been in operation. During the evolution of subsistence management over these three years, we've made great strides in structuring subsistence management to accommodate subsistence users' customary and traditional practices in a manner consistent with maintaining healthy wildlife and fish populations. We could not have made such progress without the involvement of the regional councils.

Without a doubt, this progress has had its share of frustration in both the Federal and the regional council arenas. However, change is sometimes difficult, particularly when it involves such a complex issue with so many players, and I believe it is to the credit of everyone involved that the program we now have has so many new, and often quite substantial, innovations to accommodate subsistence uses.

For example, largely as a result of the regional council initiative and willingness to work cooperatively with Federal staff, subsistence users now have available designated hunter harvest permitting, community harvest limits and seasons, harvest limits, methods and means that better accommodate customary and traditional practices.

This is not to say we are content to rest on our laurels. We are still faced with issues to be resolved and more issues will undoubtedly arise in the future. In fact, some of these issues are on your agenda during this meeting. The Federal subsistence management program is on the leading edge of resource management that is cooperative and responsive, and with the continued high quality of involvement of the regional councils, we will continue to be so.

I wish you the best of luck at this meeting, and I and the other board members look forward to seeing your proposals and recommendations.

Thank you, Mr. Chairman.

MR. CHAIRMAN: Thank you, Mr. Taylor. At this time we accept this introduction and we tell you to tell him that we thank him.

Continuation of our agenda, at this time we ask Chuck Chaliak for invocation.

(Invocation given)

MR. CHAIRMAN: Next on our agenda is review and approval of agenda. I think at this time I'm going to ask our coordinator to do all the reading and all the explanation, some stuff. However, if we get to election, we got a couple board members missing and they wouldn't be here until this afternoon. Maybe they would have been here if they have agenda available for them before.

So I don't know how you guys want to handle that election part. You want to wait until they get here or not?

At this time I'm going to turn it over, reading of agenda, to John Andrew, coordinator.

(Agenda read by John Andrew)

MR. CHAIRMAN: Before this agenda is approved, I want to ask the board members if it will be okay if we move the election of officers to this afternoon. Before we approve this agenda, we need to move that item. Make some motion to move the election of officers to this afternoon, when the other members, other two missing members, are present.

Seconded by Steven White, it will be the first item to be addressed at 1:00 after lunch. For those of you in favor, say aye.

IN UNISON: Aye.

MR. CHAIRMAN: Those opposed, nay.

(No response)

MR. CHAIRMAN: No? Motion carried. So the election of officers will be held at 1:00. It will be the first item after lunch.

This other item that we need to amend on the agenda, as requested by AVCP, is to address the Western Alaska Brown Bear Management, the Kilbuck Caribou Management Group to be addressed tomorrow. The upriver and downriver conflict was requested to be addressed tomorrow as well. This was requested by the AVCP.

THE INTERPRETER: John Andrew made a correction that this upriver and downriver conflict was requested by AVCP to be

addressed by the management of AVCP in their December meeting.

MR. CHAIRMAN: As we need to make these meetings to the agenda or addendums --

MR. ANDREW: This public comment segment was to be requested tomorrow at the Yugtarvik Museum, where we could accommodate more people for comment. Is this okay for the board?

MR. WHITE: This agenda is amended.

MR. CHAIRMAN: There's a motion on the floor to accept agenda with the additional amendments and addendums.

MR. DAVID: Seconded.

MR. CHAIRMAN: Seconded by David O. David.

Discussion?

(No response)

MR. CHAIRMAN: Question being call for. All in favor say aye.

IN UNISON: Aye.

MR. CHAIRMAN: Opposed, same sign.

(No response)

MR. CHAIRMAN: Motion carried. Proceed with our agenda. We are down to the reports, since we're going to do the elections later.

MR. ANDREW: It was said to bypass the minutes on the agendas. The minutes are upstairs, according to John, the minutes of the Mountain Village meeting. Can you hand them to me?

(Mountain Village meeting minutes read by John Andrew)

MR. DAVID: These minutes of our last village meeting were addressed by John. If it is okay, we need to make a motion to accept these minutes. We need to make a motion to accept these minutes, but for future purposes, I request that these minutes be sent to the council members prior to coming here to these meetings, to be provided these minutes in advance.

MR. CHAIRMAN: David O. David made a motion that we be provided with these minutes in advance, and the coordinator is present and takes a note of that, to be provided all information in advance. David O. David also approved the minutes of the last village meeting and requests that we be given access to minutes in advance; seconded by Moses Nicolai.

And any discussion towards this matter?

(No response)

MR. CHAIRMAN: Question being called. Those of you in favor say aye.

IN UNISON: Aye.

MR. CHAIRMAN: Those opposed, same sign.

(No response)

MR. CHAIRMAN: The minutes from the previous meeting have been approved. It is very important that board members know the minutes and the agenda prior to meetings so that we are abreast of all this information.

We are down to the next agenda item in our Mountain Village meeting. There was a proposal that was made -- proposals that were made. This proposal 36, Unit 8 -- 18, caribou management, these proposals were approved, were presented at a meeting that I attended. When I endorsed these proposals at this meeting, I presented these with help from somebody over there. These proposals 37, 38, 39, 40 were covered at this meeting. Proposal 38, 39 and 40 were requested by those people upriver.

This proposal 36 as worded addresses the Kilbuck caribou herd in regards to the season opening for caribou, for the caribou season and the Kilbuck herd. It is worded that hunting seasons were 130 bulls. I don't know if it had been harvested or left.

It was amended that the season will close when they reach this guideline as requested towards the Kilbuck herd under this cooperative management plan. As we propose it in Mountain Village, this was approved as requested by the subsistence advisory board.

Also approved was proposal number 37, the Unit 18 caribou season. Unit 18, the opening for December 15 to January 9, from February 23rd to March 15. North of the Yukon, as requested, 36 was also approved. Unit 18, north of the Yukon River, that the limit be set at five caribou, and in July to June 3rd, that the harvest be limited to males from May 16 through June 30th, the limit of five caribou a day in the Yukon River. The St. Marys area, the limit will be one. And that was approved in regards to proposal 37.

And as you requested, we approved the customary use populations in Andreafsky, St. Marys, those villages at this point. In those villages, we included Hooper Bay to those villages.

Proposal 38 was approved as written in regards to south of the Kuskokwim. It was approved as you requested.

And north of 19E, the limit was -- is one caribou from August 10 to December 30, November 1 through December, and this proposal in regards to 19E, north of the Kuskokwim River, that the limit be set at five caribou. This was approved from August -- that the days be set from August 10 through September 30, with the limit of one caribou from November 1 through 20th, and that limit will be set at five.

MR. COFFING: With the correction that that proposal was revised at the board meeting, and actually though a correction from their initial proposal was in error, they made a modification of that. So the area actually changed was Unit 19A, south of the Kuskokwim, five per day, and the season was changed.

MR. CHAIRMAN: So this is south of Kuskokwim instead of north?

MR. COFFING: That's right.

MR. CHAIRMAN: Approval of modification must be of proposal 39. That's the modification of that, north and south?

MR. COFFING: Mr. Chairman, it was still proposal 38, but it was just revised.

MR. CHAIRMAN: The proposal was limited to one antler, that is, from September through -- September 1 through September 30th and November 1 through -- and the moose, Unit 21 was limited to one moose, one male moose. Proposal as written, moose in Unit 21A was limited to one male moose and was approved from August 20 through September 25.

Unit 21E, one bull from August 10, August 20 to August 25.

MR. COFFING: August 20, and the modification was August 20 to September 25.

MR. CHAIRMAN: September 25, yeah, August 20 to September 25, that's the modification. This modification, the dates to approve this to September 25, but it was set from August 25, and the board adopted in regards to 21A.

We opposed this proposal that a moose not be harvested

within half a mile from -- it was requested that moose not be harvested during that season within a half a mile. That was requested by those folks upriver, and this was requested through -- with our endorsement, D-6, support of this, and the State concurred and we proposed as a board in regards to this.

And there's one more proposal. These were -- I presented these proposals at the April meeting, but these proposals were approved. Some of these proposals that you approved were requested, were approved and some were not. In this July meeting, it was not -- it was done in regards to this area, because they covered the Kenai area. The customary and traditional use that relations did not apply to a lot of these areas, because they are not traditional in that area, different from the Kenai. If I am familiar with some of the things that they addressed, I would present them. We were there for a day and we did not say a whole lot, since they were dealing with something that was important to them and from their area.

I hope you understood those. The next item on the agenda --

MR. DAVID: Before you proceed, we want to accept your report.

MR. CHAIRMAN: David O. David moves to accept my reports from a board meeting in Anchorage. Motion is accepted by David O. David. Question being called. All in favor say aye.

IN UNISON: Aye.

MR. CHAIRMAN: All opposed?

(No response)

MR. CHAIRMAN: Motion is carried.

The next item on the agenda -- these people that are here to address whatever they wanted to address tomorrow, the public comment, these people are to be introduced.

(Introduction)

MR. CHAIRMAN: We'll take a ten-minute break.

(A recess was taken)

MR. CHAIRMAN: The meeting is called back to order.

Before we get to the waterfowl issue, we would like to request the coordinator that we find better accommodations at 1:00. We may be crowded if more people come.

MR. ANDREW: We have no other place that may be bigger because of elections. All bigger public meeting places are being used by the elections, so we will be here today.

(Off record discussion)

THE INTERPRETER: They're talking about accommodations.

MR. CHAIRMAN: We shall proceed at this point. The next item is a Waterfowl Conservation Committee report, and this was requested by AVCP to cover this item tomorrow. The Kilbuck Caribou Management Group and western Alaska brown bear, those two items were requested by AVCP to be covered tomorrow, so we at this point will cover waterfowl, the Waterfowl Conservation Committee report. Who will be giving that report?

MR. REARDON: I will.

MR. CHAIRMAN: Mike Reardon is going to give a small report into the Waterfowl Conservation Committee.

MR. REARDON: Pretty much all I have for the Waterfowl Conservation Committee report is a list of items that we proposed to

discuss with the Waterfowl Conservation Committee in their first meeting, which will be held in probably November or December, next month or the month after.

Three items that come to our mind as important this year are the protocol amendment, the one that AVCP will be discussing tomorrow, I believe, legalizing the spring hunting of waterfowl in Alaska. My understanding is that the legislation or the protocol amendment is still on track. The only thing that may be holding it up is some concerns that Mexico has with the wording in the treaty. Myron Naneng should be able to address that better tomorrow. He's on the actual working group that's developing the words for the legislation.

Apparently Canada is online to sign the agreement. Their Congress needs to ratify it and our Congress needs to ratify it before it can become law, but it is on track.

Another issue that we want to work with the WCC on is emperor geese. This last spring in our count the population was 5,000 birds below last year. Now we're down to a population of approximately 50,000 emperor geese. It's something that we've noticed in our surveys, but it's also something that we've been hearing from the coastal people, that they've noticed a reduction in the number of emperor geese.

It's a complex issue having to do with survival of young when they're leaving the Delta and also continued subsistence hunting of emperor geese in violation of the Yukon Delta Geese Management Plan. So we need to go to the WCC in order to determine what we can do together to reduce the harvest on emperor geese. We've reached the situation of the population level with emperor geese that makes it very important that we address that situation now.

Steel shot is another issue that we hope to discuss with the WCC, in finding ways to reduce the amount of lead shots being used in the villages. Currently the law states that all users are supposed to be using steel shots instead of lead shots and it's a significant poisoning problem with the waterfowl that we're talking about.

Recent studies have showed that eider ducks have been picking up lead shot on the coast, and we are concerned that it's contributing to the mortality of eider ducks and perhaps other ducks on the Delta.

This fall/late summer we had steel shot clinics in the villages of Toksook Bay and Chevak and training people in the use of steel shot. We're looking to the WCC for help in finding ways to inform people about steel shot and ways that we can encourage people to use them. Currently part of the problem is the high expense of steel shot in the villages. And we also need to look at ways that we can find ways to reduce the cost of steel shot so it's more available to people.

Those are the three issues, Mr. Chairman, that we propose to discuss with WCC this winter. Thank you.

MR. DAVID: Mr. Chairman, how hard have the steel shots been on the guns?

MR. REARDON: Most modern shotguns, it's no problem at all. Some of the older shotguns have real tight chokes and may cause a small expansion at the end of the barrel, but it doesn't hurt the way it shoots at all. I had the same concern, I asked the same

question, and I've shot it in all of my shotguns now and it's been no problem.

MR. DAVID: Thank you.

MR. CHAIRMAN: Any more questions from the board?

MR. MANUMIK: Mr. Chairman, the training that you have on steel shots, are those done by the village or do you go out to the village to --

MR. REARDON: We tried to cluster villages this year, but because of weather problems it didn't work out very well.

Our intent is next year to try to get more of the coastal villages. It was interesting that the fellow who came out to do the training has given training all over the United States, and after the training, the young people in Chevak and Toksook Bay beat the record of all people that he's ever trained as far as ability to shoot, so people out here have good ability to shoot a shotgun. He'll be back in the fall to do more of that training.

MR. MANUMIK: (Indiscernible)

MR. REARDON: Well, we're working on that. We've got four or five people training now, some with AVCP, so we'll try to get more people out. We're going to Marshall next week.

MR. DAVID: Is your trainer part of your organization or is he a wildlife --

MR. REARDON: Some are. We've got Abe Andrews, we've got Dennis Strom, who both work here, and there's one person at AVCP who's been trained and he's going out there. The other guy who comes out, Tom Roster, doesn't work with any of us. He's an individual working with -- for an independent company that's working on educating about steel shot. He's coming out here to encourage people to use it.

MR. CHAIRMAN: Any more questions to Mike?

MR. NICOLAI: Is it Federal or State regulations to use steel shot?

MR. REARDON: In 1991, it was Federal regulation to use steel shot all over the United States.

MR. NICOLAI: The reason I ask is that a lot of people in the outlying village don't know that steel shots are being regulated now. The best time for you people to travel around the villages to notify them, because a lot of outlying villages don't have a phone, so it's better for you guys to come in and discuss these steel shot problems, because a lot of people don't find out and know it.

MR. REARDON: I agree. We've been doing that for three years now this winter, and it takes a while to get everybody educated, but that's our intent, try to educate everybody.

MR. DAVID: Mr. Chairman, in that case, we who attend WCC meetings have already passed that word to our units, and for the people who have not been with WCC, I believe they need more time to pass that on to their -- to the people that they're representing. So we do have -- we do already have -- I do already have passed that word on to my units when I was representing them at WCC.

MR. REARDON: Part of the problem is that the distributors are continuing to send a lot of lead shots to the villages, and the steel shots they're sending cost 20, 22 dollars a box.

MR. DAVID: The problem in my area is I've told my people that I was going to be using lead shots as long as the store

-- as long as I can buy them. That's the problem there.

MR. REARDON: Then we'll continue to poison our birds.

MR. DAVID: I don't know if that works or not. We shoot them to kill them. In my area, I don't think that poison is a problem, but I know down south it will be a problem where they shoot them out of range and get the lead into the birds that are flying high.

MR. REARDON: Mr. Chairman, it is a serious problem out here with lead poisoning just when the pellets fall into the lake and the birds feed on the lead pellets thinking it's gravel for their crops, and just one lead pellet is enough to kill a duck.

And we've done studies out here on birds. We take a blood sample from ducks and determine if they have any lead in them.

And there's a significant amount of lead poisoning in the ducks out here. We are killing our ducks with lead poisoning. We never see them. I mean, they are dying, we don't see them, but it is a problem here just like it is everywhere else.

MR. DAVID: I'm going to save my further arguments to WCC meeting, Federal subsistence meeting.

MR. CHAIRMAN: Any more questions?

MR. MANUMIK: One steel shot -- one lead shot is enough to kill. Is that eaten or in the body?

MR. REARDON: Ingested.

MR. CHAIRMAN: Any more questions to Mike from board or from audience?

MR. AYAPUN: Mr. Chairman, I have a question on lead shot and steel shot. Does it go a little faster or a little slower, the steel shots?

MR. REARDON: You've got Dennis right here to answer your question. Dennis Strom has had the training.

MR. STROM: Lead shot initially weighs one third less than -- or steel shot weighs one third less than lead, so you get the same type of performance you get on a lead shot, but they have to throw a little faster. It actually shoots a little faster initially, out to about 30, 35 yards, and then slows down, so 35 to 45 yards, it's very good.

MR. AYAPUN: Steel shot?

MR. STROM: Steel shot. If you're going to be shooting ducks generally, size three is a good all-around duck kill.

MR. AYAPUN: In steel shots?

MR. STROM: Steel shots.

MR. GUY: Mr. Chairman, one question. When you do these clinics, does the U.S. Fish & Wildlife Service provide the shells?

MR. STROM: Yes.

MR. CHAIRMAN: Next on our agenda is F, Yukon Delta National Wildlife Refuge.

MR. REARDON: Mr. Chairman, in this part we have a couple of reports that Supervisory Biologist John Morgart will give on the biological work we've done with caribou and brown bear.

MR. CHAIRMAN: Your name and your duties and responsibilities.

MR. MORGART: John Morgart, supervisory wildlife biologist here on the Yukon Delta National Wildlife Refuge.

This report I'm passing out just summarizes the work that we've done on caribou in the last year, and it's basically like

just a summary of what I'll present now.

Since October '94 until the present, through September '95, we've flown approximately 25 times with the purpose of radio tracking caribou in the Kilbuck Mountains. We've done that in cooperation with the Togiak National Wildlife Refuge and we've had representatives from the Alaska Department of Fish & Game. We've also had representatives with us from Akiachak and Kwethluk on three of these flights.

As most of you are aware, last October, around the 24th and 25th, an unusual number of animals were seen in the Kilbuck Mountains, approximately 4500 animals. We thought our best thought that the Kilbuck herd numbered somewhere in the neighborhood of 2,000, or few more than 2,000 animals at the time, and we saw over 4500 in that one area. Obviously we thought that perhaps we were getting -- having animals from the Mulchatna herd move into the area.

We immediately flew a number of flights to try and determine the origin of these animals and the numbers and where they were located, and during those flights we covered an area of approximately from Whitefish Lake down to the Elbow Mountain area, and two survey crews counted almost 20,000 caribou. That's how many they actually saw. Based on some other tracks and some other signs and stuff, it was suspected that there may have been as many as another 20,000 animals in the area, for a total of 40,000 caribou.

As a result of this survey, that portion of the Game Management Unit 18, south and east of the Kuskokwim River, was opened by emergency order on 29 October for caribou hunting, and the bag limit was two animals per person and that season extended through the 31st of March. We don't have good, exact numbers on the number of animals taken at that time, but through various sources, we estimate as many as 2,000 animals may have been taken during that one time when the Mulchatna herd moved into the Game Management Unit 18 in large numbers.

Also in October '94, we had a caribou-collaring operation. We went back in. We still intensively were trying to manage the Kilbuck caribou herd. The collars that we had on those animals allowed us to track them and locate them and kind of keep track of when herds were starting to get old and wear out, so we wanted to put more collars on the Kilbuck caribou.

At that time we put 28 more -- 28 more radio collars on. Okay? We made our best effort to try and get them on animals we thought might be Kilbuck caribou animals, but I think later survey flights have shown that probably most of the animals that we put collars on were indeed Mulchatna animals.

One of the things we do in the fall of every year is we try and go out and we do -- we try and do a real intensive survey of the Kilbuck area and count all the caribou in the mountains, and using that estimate or that count we base the following year's harvest registration, subsistence registration harvest on that count.

Last year we did not do that count, and the reason why, of course, is because these 40,000 animals from Mulchatna moved into the area and it just wouldn't have made sense for us to make the counts, so we don't have a count of so-called Kilbuck caribou animals right now because we can't distinguish them from the Mulchatna animals that have moved in.

Just to kind of summarize what the Mulchatna animals did, they had moved into the area by way of the Salmon River, down

the Tuluksak River. They fanned out across the low lands and came as far west as Akiak. They generally traveled south along the west face of the Kilbuck Mountains and they remained in the Yukon Delta National Wildlife Refuge area approximately through mid-December 1994.

By the first of January 1995, most of the animals had moved down into the Togiak National Wildlife Refuge, where they remained for several more months. By mid-March, most of these animals had traveled north again and had returned to the areas east of here in the Mulchatna drainage, where they normally occur.

Our flights this summer, we only saw a relatively small number of caribou left in the Kilbuck Mountains, in Game Management Unit 18, no more than a few hundred, most of which were bulls. When the Mulchatna animals returned back to the Mulchatna drainage, they took most of the Kilbuck animals, apparently, with them.

The Goodnews is in early September, approximately 12,000 animals, a minimum of 12,000 animals, have moved back into the Kilbuck drainage area from the Mulchatna area, and a lot of these animals have moved back in. The radio collars we put on, the old and new, are with that group, so the animals are moving back into the area. And Randy may want to say something more about that, but it's my understanding that in response to having all those animals moved back into Game Management Unit 18 and on the west side of the Kilbucks, there's an emergency opener now allowing for harvest of two caribou per person effective 1 October until March 31st.

That's basically a summary of the action of the animals in the Kilbuck Mountains and Game Management Unit 18. Are there any questions?

MR. DAVID: Yeah.

MR. MORGART: David.

MR. DAVID: Mr. Chairman, in doing your flight surveys and collaring, what -- do you charter private owned aircraft or do you own -- do you fly your own airplanes and do you fly out with choppers to do your collaring?

MR. MORGART: Well, yes to all of that. We fly our own aircraft, we also charter aircraft at times. Yukon Aviation, Tucker Aviation down in Dillingham, Bay Air down in Dillingham have all helped out on these things.

The U.S. Fish & Wildlife Service does not have any helicopters so we have to charter helicopters, and in order to capture these animals from the air, you use helicopters, and we use a Hughes 500 that we charter from Saloy Air (ph).

So a combination of everything you mentioned, David, is how we do it.

MR. DAVID: Thank you.

MR. MORGART: Any other questions?

MR. NICOLAI: I've got a question for you. Do you extend the season? I'm wondering now that quite a few people caught their caribous -- like, for instance, if a guy caught one caribou already, does that mean he has to get one caribou in extension season?

A lot of people be wondering that I can get two now if you extend it. We have figured that if we have gotten one before they extend it and they make this extension, you might have to get one more instead of two. Is that correct?

MR. KAYCON: Yeah, that's correct.

MR. MANUMIK: On your collaring of caribou, you said that some of them are moving back. After having moved out with the Mulchatna herd, some of them are coming back. In your report you say you have 52 collared caribou. Are they all in the area right now?

MR. MORGART: Paul, to the best of our knowledge -- now, we haven't had a preliminary flight in the last couple of weeks, but basically the live number of collars that we've put on animals in this area, this side of the mountain, in Game Management Unit 18, totals 52. Most of those animals moved north from Togiak last March and they moved east of the Kilbuck Mountains, where they stayed.

We had very few collared animals remaining west of the Kilbuck Mountains all spring and summer. Now that the Mulchatna animals, these 12,000 animals, have started to move back into the area in early September, I don't have an exact count, but it -- maybe, Randy, you recall, but I would say that we've tracked at least 20 of those collars that have moved back into the area, Paul.

We need to get out and fly again, quite frankly, as soon as we can to do a little wider tracking job and there may be even more animals, but I would say that at least 20 of the 52 have moved back into the Kilbuck Mountains.

MR. CHAIRMAN: Back there.

MR. OWENS: Yeah. This is a question probably towards Randy Kaycon. Is it common for Fish & Wildlife protection officers flying around with Cubs, Supercubs, to harass the caribou up there?

Because it's not the first time I've witnessed. Those caribous were closeby the Kwethluk before it opened and some people have been reporting that these Supercubs have been flying around them and probably harassing them to get -- let them go away from the river banks or someplace around there. And they've been reporting that these caribous were down closeby to the Y before it opened.

I've been checking that area since September 1, and I haven't seen one caribou yet and I've seen a lot of tracks up there.

They're -- they've been probably harassed and they move back -- may move back toward tundra there, where it's not accessible for us to get.

MR. KAYCON: I can answer that. There's been no harassment. In fact, most of the Cubs have been busy on the Yukon River and the Holitna River. I don't think we've had any protection down here at all.

The rumors about caribou at the Y, and I heard the same rumors, so I went out with George Walters from Fish & Wildlife Service one day on a 206 on floats, and we flew for three hours intensively between Kwethluk and Kisaralik and there was no evidence of any caribou west of Greenstone Ridge, west of Breast Mountain.

So, you know, it's just a rumor, just like the rumor in Napaimiut, caribou crossing in Napaimiut. I've had hundreds and hundreds go up the Kuskokwim to Napaimiut. They sit there for two weeks and never see a caribou. Well, the rumor started two years ago that caribou was crossing the Kuskokwim at Napaimiut. Well, you can't believe everything you hear.

The caribou may have been down at the Y at one time, but they move around regardless of whether there's airplanes or what. You know, we're not hurting caribou.

I mean, that's why I opened the season, so people could hunt. The season was open on September 1 through 30, so what

are you talking about the caribou left before the season opened? The season was open from September 1 to September 30.

MR. OWENS: I've been wasting gas going up there to try to catch the caribou.

MR. KAYCON: I agree. I've told many people over the phone, I said don't waste your gas, but they don't listen. You know, they just go up there. I saw eight wall tents parked at Three Step.

They're all sitting there looking at the mountain with their binoculars. There's not a caribou within 50 miles of Three Step.

I can't tell you what to do. I just tell you what I see, and there's no caribou around Three Step. They're up by Breast Mountain, they're over by Greenstone Ridge, they're over by Spein Mountain, but they're not this far west yet.

MR. OWEN: They were up this far. There's some tracks up there, and Moses can attest to my argument right there, right there when -- before September, I think, they were out berry picking and he saw some caribou right there by the Y.

MR. KAYCON: I agree. I saw caribou, too, up the Kasigluk in July and August, but last Wednesday when I flew, all I can tell you is there were no caribou there last Wednesday, and that's what I'm basing my -- what I saw. There were no caribou. There may have been caribou there in August, there may have been caribou there in July. I think there was a lot of caribou down there all summer, mostly bulls. But the season is open until March 31st. If you didn't get your caribou now, you can go this winter, so you have that option.

But as far as people harassing caribou, I've heard this story over and over again that Fish & Game, Fish & Wildlife protection are chasing caribou away. We're not doing that at all. If you see an aircraft harassing animals, get the N number or get a description. It's against the law to harass animals with an airplane.

MR. OWEN: Okay. I thought I'd get it across to let these people know.

MR. KAYCON: Okay.

MR. CHAIRMAN: Before I ask the next one, I think we should have a ruling here for the keeping of the record. If you ask questions, you should name your name and where you're from, and if you respond also, you should respond with your name and your duty and responsibility. Thank you.

Who is the next one? John.

MR. MORGART: I just had one more thing to say, Mr. Chairman. I just wanted to say that what Randy just said is important, if you can find out the color of the airplane, if you can get the N number, if you can get the date and the area that was going on.

Now, we're up there occasionally in Fish & Wildlife Service and charter aircraft tracking caribou. Our intent is not to harass them. We do everything we can not to harass them. Occasionally the animals will get up and move a little bit, but in general what we've seen, the animals do not respond to our surveys in any significant fashion. Okay? We just don't get down low and we don't buzz them.

Let me reiterate as strongly as I can, the intent by the service and the Fish & Game is not to drive caribou anywhere. In the first place, we couldn't do it if we wanted to. But the animals

from the Mulchatna area are in the area, they're moving into the area, there is a good chance there's going to be a lot of them around this winter, that's why the emergency opener.

You know, I want to go out there and hunt them myself this winter. The last thing I want to do is drive them away. So there's no intent by anybody to drive animals away from anybody. But it's important to get the number, color, date, all the information you can on any aircraft because if someone is out there illegally harassing these animals, we can do something about that. We can investigate it. But -- that's all.

MR. CHAIRMAN: Thank you.

MR. NICORI: Mr. Chairman, thank you. My name is Frank Nicori and I'm from Kwethluk, and I have a fish camp about three miles above the village, about half a mile below Children's Home. And when we're staying at the fish camp this summer, I have noticed -- I'd like to mention this while we're on the subject of the aircraft.

I have noticed this summer that an airplane comes up from -- around here someplace and goes up by the hills and just goes up there to a certain spot and keeps circling around up there. It's one of the -- I think it's one of the private planes, but unfortunately I didn't get the number and I didn't suspect nothing, so -- and after that somebody told me there was some kind of game up there.

And maybe -- and maybe next time, next time, next summer, if we're still around, maybe we can look into this, because I have noticed that planes go up there practically daily, to go up there and just to circle around. And now the hunting season comes around, somebody goes back there and finds nothing. But there was some rumors that the moose are back there, and at one time somebody from Bethel mentioned that they weren't there anymore, so it must have been one of the private planes that was up there.

This are things that we're going to have to watch if the summertime comes around again, because that's -- to me that's harassment. Every time the game comes close to the village, I don't see why the hell somebody goes up there and keeps circling around those animals daily until they're not there anymore. I think -- I think that's something that we're going to have to watch next year. Thank you.

MR. GUY: Mr. Chairman, my name is Joseph Guy and I have a comment along with Frank Nicori.

Just prior to September 1, I had my whitefish net in fish camp, and while I'm checking that net, a whitefish net, I hear a small plane approaching. I start scanning around and it was flying just above the tree lines, was heading northeast towards the area that there were moose. And, by golly, another plane, different plane, approached, same speed, same height and same direction about couple minutes later.

And I know they're heading towards the Kasigluk River.

By golly, they're doing nothing. I know those two were commercial airplanes, those two airplanes going up to harass the animals. We all know the habitat areas. All they do is to harass them and drive them away from the river areas.

And we, the people who hunt on the -- by boat, it isn't that easy, especially of the older men. They cannot walk like young men do. Like myself, I cannot. Me myself when I was young, I

can run all day, I don't care how far the game may be. But today, no way. I just go up the river bank and scan around the open areas.

It's not fun to watch the airplanes harassing the animals. It don't benefit the people who are hunting, who are depending on their meat. Thank you.

MR. ADERMAN: Mr. Chairman, Andy Aderman, wildlife biologist with Togiak National Wildlife Refuge in Dillingham.

I was just going to comment that the Federal board met last Tuesday and they gave the refuge manager, Aaron Archubeck (ph), authority to open a hunt in Unit 17A west of the Togiak River if there is a significant number of caribou that come into that area. Randy's counterpart, Larry VanDaele, has authority to open a hunt when there is 10,000 animals in that area. This potentially affects the Kilbuck animals, as they have been known to use this area.

MR. DYASUK: It is requested by the people in my area in reference to the closed -- the closure of 17A, they requested in a teleconference to open this area, but at the teleconference we had requested my manager to open -- to open this area as the Kilbuck and the Mulchatna herds approach.

MR. CHAIRMAN: Before you ask a question, we are moving away from the agenda. We were addressing the Yukon Delta Wildlife Refuge, but I could not stop it there and then we were going astray.

Next item is AVCP.

MR. KAYCON: I didn't realize I was on the agenda until this morning, but I'll just briefly go over some things about what Fish & Game has been doing the last year as far as wildlife. And John expounded mostly on caribou. I think he's covered it fairly well.

The only thing I had to hand out for caribou south of the Yukon River, we have two regulations for Unit 18, south of the Yukon River and north of the Yukon River. I'll hand out this EO and maybe someone from the staff can get copies for the members, but you can pass that around. That's the emergency order opening the caribou season south of the Yukon from -- extending the season from October 1 to March 31st. Now, there's no guarantees these caribou stay around, but I'm hoping they do.

Moving on from caribou, Fish & Game and Fish & Wildlife Service, as well as AVCP and many of the villages present here, have been involved in cooperative management planning out here because we see this as the way to do business on the Y-K Delta, as well as other parts in the state. We involve villagers in the decision making on the regulations and regulatory proposals.

Some of the cooperative management planning that the State's been involved in has been the Kilbuck Caribou Management Plan, which will be talked about more tomorrow. The Lower Yukon Moose Management Plan, we've had several meetings in Mountain Village, Emmonak, and we're supposed to have a meeting scheduled October 26th in Russian Mission to talk about moose management on the lower Yukon.

One of our goals with the moose management on the lower Yukon is to increase moose numbers so people don't have to travel two, 300 miles to Unit 21E or 21A. That's one of our main goals, is to increase moose numbers in the lower Yukon, sort of like we did with the Kilbuck plan, where we wanted to increase the caribou numbers.

The other thing that the State has been involved with, with cooperative management planning, has been brown bear, mainly in the Kilbuck Mountains south of the Kuskokwim, where we've involved 21 villages and several meetings to talk about brown bear management and also to familiarize people from the villages about the new brown bear subsistence hunting regulations.

Another project that the State is involved in is, specifically to the Yukon River, is the Paimiut Slough Moose Check Station. For the last, I guess, 12 years, they've had this check station in place and the last two years we've had over 300 hunters go through the moose check station. It's improved compliance with regulations dramatically. Everybody is getting a harvest ticket now, everybody is getting a license, people seem to be fairly successful hunting. There's been some enforcement problems, but those have been addressed mostly locally. But it's a good way for folks to get involved in moose harvest reporting, through the check station.

I'm trying to think of what else. I wasn't really prepared to give a talk. But one of the things, issues, that's going to come up in the new business is going to be the Unit 18 request for reconsideration. The State of Alaska asked for the season to be changed on the Kuskokwim back to September 1 through 30. We pulled that RFR last year. This year I wrote another one, but we decided not to go along with it, we wanted to have local input. We've only had one person from, I guess, from Bethel that submitted an RFR that I know of.

My main reason to change the moose season back to September 1 through 30 is to have less confusing regulations on the Y-K Delta. The other reason, secondary to that, is for conservation of moose. If we're ever going to get together on conservation of moose out here, we're going to have to at least agree on something, even if it's as simple as the regulation.

Right now in the Federal regulation booklet, you've got four different moose seasons for the same GMU. If you combine it with the State regulations, you've got six different moose seasons. I don't see how anyone in the village can possibly understand where they're supposed to hunt, when they're supposed to hunt and how they're supposed to hunt, because it's so confusing. And I guess I'll get more into that later on in the meeting.

But, anyway, I got nothing else, but if you have any questions, specific questions, about moose, caribou or bears, or whatever, I'll be glad to answer them. Thank you.

MR. CHAIRMAN: Any questions for Randy?

MR. MORRISON: Mr. Chairman, I might add -- I'm John Morrison with the department in Anchorage. I'm the department's coordinator with the Federal agencies.

MR. CHAIRMAN: State?

MR. MORRISON: Yes, sir.

Some of you may be aware that Lieutenant Governor Francis Ulmer has been conducting an operation for several months in cooperation with the representative of the Secretary of Interior, Debra Williams in Anchorage, and several other folks that represent different either agency or subsistence organization interests to try to work out a more cooperative situation for subsistence in the state. And they've looked at the idea of changing State laws, they've looked at the possibility of changing Federal subsistence law in ANILCA. They looked at a variety of ways in which a lot of the

conflicts and misunderstandings and disappointments with subsistence can be cured and try to get a better operation for everybody in the state.

They were to have a report ready on the activity, ready to present at these meetings, but something came up that they didn't get the report finished, so I don't have it with me. But as soon as that report is available, they'll be sending copies to all of the councils, and I'm sure it can be passed along to the villages to let everybody know where they are and what they're trying to do to overcome some of the disagreements and misunderstandings on this State and Federal relationship in subsistence management.

The department, that is the wildlife conservation division in the department, has also looked at some new operations. The new director of the division, Wayne Rigland, wants to get the department in a closer relationship with local folks and try to get wildlife management on a more cooperative basis across the state. So that is something that's being looked at in Juneau and will -- as time goes by and more ideas are developed, they will be communicating that to local folks also. Thank you.

MR. CHAIRMAN: Randy, state -- does this include your report or you need a report -- you attend a report, State of Alaska?

MR. KAYCON: You know, I didn't know I was going to give a report, but I just generally gave an overview of what's been going on the last couple of years with respect to cooperative management and also regulatory regulations.

MR. MANUMIK: Those 300 people you mentioned, were they local resident hunters or were they from --

MR. KAYCON: Approximately 60 percent of the hunters that go through the moose check station are hunting Unit 21E. The remainder of those hunters are probably from 15 villages on the lower Yukon. Never had anyone there from Chevak, but I've had people from Scammon and Hooper. We've got lots of people from Emmonak and Alakanuk, Kotlik. Few people from Bethel and a few people from Holy Cross come downstream, but most of the people are from the lower Yukon. Over 90 percent every year come from Yukon villages.

MR. MANUMIK: With those 300 people, I don't think moose hunting season is confusing for them in my opinion. I think they're reading the regulation and they're going out hunting when the time is up.

That's all I've got to say. Thank you.

MR. NICOLAI: Randy, would it be possible for the State committee report and the Federal committee report meet together and discuss the problems? Because you've stated there's a lot of conflict between opening seasons in Federal and State, but a lot of people understand when they read the -- when you read the guidelines, a lot of them understood it, but to me if -- the way I figured is there's two different board chairs, like State advisory board and Federal advisory board.

Now, only best solution I think we can have is a joint meeting with the State and Federal committee board so there won't be any confusion, because on the State side they'll tell you the moose season is there, on the Federal side they tell you it's on that date.

I think it's a conflict between the Federal and State and I never understand why there's been so many confusions going on.

As far as I know, this is a Federal refuge land. To me, I think it was supposed to be controlled by Federal -- Federal

people instead of State. It's like they're trying to fight among each other what ought to go through. To me, since they put State advisory board and Federal advisory board, they put them there to discuss the problem what the subsistence hunters are. I think it's about time both advisory committees have a joint meeting to discuss the problem. Thank you.

MR. MORRISON: Mr. Chairman, I'd like to respond to that.

At the Federal coordinating last June meeting there was again a discussion on the Unit 18 moose hunt as a result of a request from a local person to change the season. At the end of it, the Federal board resolved that they would contact the State board to see if they couldn't work out something more uniform and standard each season for the Unit 18 area.

What will come of that, of course we can't say right now, but at least they intend to talk together about it. That will probably be the first time they've ever done so.

MR. CHAIRMAN: Moses.

MR. NICOLAI: Mr. Chairman, I have a question for Randy, maybe, regarding the emergency order, emergency opening on the caribou. I was wondering if there was any -- why two caribous are -- could you add some more on the caribou harvest, on the emergency opening? You know, there's two caribous for -- two kills or two harvests. Could be that more, maybe three?

MR. KAYCON: To answer your question, I guess, administratively, I don't have that authority. The regulation says up to two caribou. It doesn't say up to three caribou or up to five, or whatever. It says up to two, so I can only allow a harvest of two. That has to be done by the Lieutenant Governor's office or the Board of Game through an emergency regulation procedure.

One of the reasons that regulation is in there is because that was something that we agreed upon at the Kilbuck meeting, that if Mulchatna animals came into the unit, we would try to open the season but not to have a bigger bag or an equal bag limit to what was east of Unit 18 because of overharvest of Kilbuck animals at the same time.

That's kind of based on the Kilbuck plan in a way; in another way, it's not. The bag limit isn't written in the Kilbuck plan, but there is a sentence in the Kilbuck plan that states we will try and open the season when Mulchatna animals come into the area. The bag limit was sort of agreed upon by many people, thinking that, well, two caribou isn't a lot of caribou, but it's adequate for most people's needs, not everyone's needs, and at the same time we're trying to protect what Kilbuck animals are out there, because we know whenever we open a season south of the Yukon or south of the Kuskokwim that there's a harvest of Kilbuck animals. And that's the reason for the different bag limits between Unit 19 and Unit 18.

You can read in the justification of that EO how that's addressed, but that's there. And I don't have the authority to increase the bag limit, but only to two animals, because that's what's in the regulation booklet.

MR. CHAIRMAN: Randy, if that is the extent of the State of Alaska report, I want to ask the board, since you have approved this agenda, I want to ask the board to include this joint group from Kwethluk, too, if you could include the Kwethluk group in the agenda or amend the agenda to include this.

MR. DAVID: Second.

MR. CHAIRMAN: David O. David made a motion to include -- to amend the agenda to include the Kwethluk Joint Group.

MR. CHALIAK: Seconded.

MR. CHAIRMAN: It was seconded by Chuck Chaliak. All those in favor say aye.

IN UNISON: Aye.

MR. CHAIRMAN: Those opposed say nay.

(No response)

MR. CHAIRMAN: I am grateful for the Kwethluk Joint Group. I want them -- because I want them to bring forth what they have brought. I want you to understand what this group wants for the benefit of the board and these Federal and State representatives.

MR. GUY: Mr. Chairman, Phil Guy with Kwethluk, Inc., and the joint group.

Mr. Chairman, we planned to present our segment, our case, when AVCP presents their report.

MR. CHAIRMAN: Okay. If you don't mind waiting until tomorrow when AVCP will be giving their report. I am giving you this opportunity because I am grateful you are here, but if it is okay for you to be considered when AVCP makes their report, if that's okay with you, this amendment to include the Kwethluk group is going to be postponed to -- or be set for tomorrow.

Before we get to old business on the agenda, I am hungry. I am getting hungry and haven't slept yet. We're going to break right now for lunch until 1:00. Yeah, 1:00.

(A recess was taken)

MR. CHAIRMAN: Let's go back to order from our recess.

We went down for old business, upriver approval and downriver conflict. We take it out from the agenda, so next on our agenda, as we approve agenda this morning, it will be election of officers. I'm going to turn this election of officers now to John Andrew, coordinator, to chair.

MR. ANDREW: Thank you, Mr. Chairman. We need to nominate for elections a Chairman, Vice-Chairman, Secretary and Sergeant-at-Arms. Nominations are open for the chairman now.

MR. ANVIL: I nominate Harry Wilde for chairman.

MR. ANDREW: Nomination for Harry Wilde by Antone Anvil.

MR. ANVIL: Mr. Chairman, I acted that we have unanimous consent for chairman to Harry Wilde.

MR. PELTOLA: I second a motion for the unanimous consent.

MR. ANDREW: Gene Peltola seconded for the unanimous consent for Harry Wilde as chairman. All in favor say aye.

IN UNISON: Aye.

MR. ANDREW: Motion carried.

MR. CHAIRMAN: Let the record show I am inclined.

I want to say I thank you for choosing me. I will do my best. I will be depending on you for your help for whatever we do.

MR. ANDREW: The next nomination is for vice-chairman. Nomination floor is now open for election of vice-chairman.

MR. PELTOLA: Mr. Chairman, I nominate Moses Nicolai.

MR. CHAIRMAN: There's motion on the floor to nominate Moses Nicolai.

Nomination has been closed, seconded by David.
Discussion? With question being called for, all in favor say aye.

IN UNISON: Aye.

MR. CHAIRMAN: Motion carried, to Moses Nicolai and Paul Manumik.

(Vote taken)

MR. ANDREW: Moses Nicolai, seven; Paul Manumik, two.
Vice-chairman is Moses Nicolai.

MR. NICOLAI: I'll try to do the best I can. Thank you.

MR. CHAIRMAN: Secretary, nominate them.

MR. DAVID: Mr. Chairman, I move Paul Manumik to be secretary at meetings with unanimous consent.

MR. PELTOLA: Second the motion.

MR. CHAIRMAN: Seconded by Gene Peltola. Discussion?
Question being called for all board, all in favor say aye.

IN UNISON: Aye.

MR. CHAIRMAN: Opposed, same sign.

(No response)

MR. CHAIRMAN: Motion carried. You're appointed as a secretary.

Sergeant-of-arms. Chuck Chaliak has been nominated as sergeant-of-arms. Any more nominations? Any second? It really have to be seconded.

THE INTERPRETER: Steven White had the nomination to make Chuck as sergeant-at-arms.

MR. CHAIRMAN: There's a motion on the floor to close the nomination. Question being called for, all those in favor say aye.

IN UNISON: Aye.

MR. CHAIRMAN: All opposed say no.

(No response)

MR. CHAIRMAN: Motion carried, and sergeant-at-arms is Chuck.

Let the record show this morning there was two board of directors unable to make it in the morning meeting. These two board of directors may be excused for that morning -- this morning. It's Gene Peltola and Antone Anvil. Make sure that the record shows.

We are now convening with the old business on the agenda. We'll conduct the segment in Yupik since we have a translator.

We are on old business, B, council representation. We don't have enough representation if you look at, like, the people, the Native representative from their area (indiscernible) because of these people, they are one of our people, and also the member of Yukon-Kuskokwim Delta regional area. And also we need one representation from Russian Mission, Marshall, Pilot Station, we don't have, and also there's some -- need representation from lower Kuskokwim area, Nelson Island.

I would like to hear from Gene now.

MR. PELTOLA: Mr. Chairman, do we have the authority to increase our membership?

MR. BRELSFORD: Mr. Chairman, the councils can offer recommendation to the Federal Subsistence Board concerning the adequacy of representation on the council. Two councils last year

asked for additional seats. The Kodiak/Aleutian Regional Council asked for additional seats to include a representative from the Pribilof Islands.

The Federal board last April asked the staff to make sure that all ten councils looked at this question of representation, and the board wants to look at the whole, all ten councils together, comprehensively, and to evaluate any changes that would be necessary for all of the councils at one time. So each of the councils, when they meet this month, is going to offer their opinion about additional seats or if they need additional representation, and then the Federal board in November will evaluate the whole picture for all ten councils together.

So your -- any motion that you make would be a recommendation to the Federal Subsistence Board. They will have to pass that recommendation on to the Secretary of Interior, who actually appoints the council members.

MR. PELTOLA: Mr. Chairman, I move that this advisory council recommend to the Federal Subsistence Board that we increase our membership by three positions, one member -- one representative to represent Chevak/Hooper/Scammon, one representative for Nelson Island/Mekoryuk, and one representative for Pilot Station through Russian Mission.

MR. DAVID: I second the motion.

MR. CHAIRMAN: Motion has been made by Gene Peltola and a second by David O. David. Is there any discussion?

MR. BRELSFORD: Mr. Chairman, could we have the motion repeated, please, so we have the record real accurate?

MR. PELTOLA: I move that this council go on record recommending to the Federal Subsistence Board that our membership be increased by three, with one representative to represent Chevak/Hooper/Scammon Bay, one representative to represent Nelson Island and Mekoryuk, and one representative to represent the villages of Pilot Station, Marshall and Russian Mission.

MR. CHAIRMAN: This motion has been seconded by David O. David. Is there any discussion?

Question has been called. All in favor to have three more board on council say aye.

IN UNISON: Aye.

MR. CHAIRMAN: Opposed, same sign.

(No response)

MR. CHAIRMAN: Motion carried. Our recommendation to the board from the advisory board, add three more to our area.

Now the next item is open floor to public comment. That one there will be added to tomorrow's agenda.

Now we're going into new business, request for reconsideration, CRFR-95-13, moose, Unit 18, August 25 through September 25, Mike Coffing.

MR. COFFING: Thank you, Mr. Chairman. I want to direct all of you to the council books you have within your council books in detail, so in the interest of time I'm going to be brief and kind of summarize what the council did here and what the Federal Subsistence Board did at its meeting last week.

This request for reconsideration essentially asked the Federal Subsistence Board to change the moose hunting seasons on the Kuskokwim back to the way they used to be; that is, back to the old September 1 to September 30 season, to make it concurrent with the

State season.

Most of the council members will recall that there was -- that the council discussed the Kuskokwim moose season at least three times at three prior meetings. The first was at its January 1994 meeting as a result of polls from Kwethluk to change the moose season on the Kuskokwim. The council recommended that that proposal be adopted. The Federal Subsistence Board then adopted that proposal at its April 1994 meeting.

That essentially changed the moose season in Unit 18 on Federal public lands to August 25 to September 25 throughout Unit 18, with the exception of the Kanektok and Goodnews River drainages.

During the summer of 1994 there was a request for reconsideration by the State of Alaska and also by the Lower Yukon Moose Management Committee, and the concern of the Lower Yukon Moose Management Committee was the group on the Yukon wanted to have, in fact, the September 1 to September 30 season retained on Federal public lands, similar to the State lands.

The council -- this council met by teleconference on the 2nd of 1994 and discussed those requests for reconsideration, and at that meeting agreed that, yes, they would support the September 1 to September 30 season on the Yukon, but that they wanted to retain the August 25 to September 25 season on the Kuskokwim.

The Federal Subsistence Board met August 17th and adopted that recommendation. That essentially resulted in August 25 to September 25 season on the Kuskokwim drainage in Unit 18 and the September 1 to September 30 season in the Yukon drainage in Mountain Village in Unit 18.

At its October 1994 meeting, last fall's meeting, this council again discussed the issue of different and separate fall moose hunting seasons in Unit 18, the Yukon season and the Kuskokwim season. And this committee through a motion that it passed unanimously supported retaining those separate seasons, September 1/30 on the Yukon and August 25/September 25 on the Kuskokwim.

This summer there was a request for reconsideration submitted by a Bethel resident that asked that the Kuskokwim season be changed back to the old September 1 to September 30 season. It also asked that the winter season dates, the ten-day winter season dates on Federal public lands occur exactly the same date as the State season did, that occurred. The Federal Subsistence Board met and discussed this last week and essentially the result of their discussion was to -- not to change it back, but to leave things as it is, essentially leave it the way this council has suggested the season to be; that is, retain the August 25 to September 25 season on the Kuskokwim.

The request for reconsideration mentioned several things, several issues, some of which included the fact that having different State seasons -- or Federal seasons that are different than the State seasons on the Kuskokwim are confusing to hunters. And I think this council has discussed some of that. In fact, it is confusing to know whose land you're on and what boundaries are you on and what season applies to the area you're hunting on.

There's also the concern that having different State and Federal seasons could potentially increase the harvest of moose, and the fact that there is a relatively low density of moose in Unit 18 compared to adjacent units, such as Unit 19 or 21, was a concern mentioned in the request for reconsideration.

As a result of the Federal board last week essentially denying the request, leaving the seasons as they are now, that they were this year, one of the things that the board hoped this council could provide the board was some guidance as to whether people in the Kuskokwim, villages in the Kuskokwim, are satisfied with the August 25 to September 25 season and perhaps help develop some consensus among the Kuskokwim communities as to what season they want.

And if in fact they do want to retain this August 25 to September 25 season, then the board would hope that this council, through a recommendation of possibly a letter, could suggest that Board of Game perhaps change the State season so that in fact the seasons are exactly the same, that we don't have different seasons, but that whatever seasons you have on the Kuskokwim, the State and Federal seasons should probably match up to reduce the confusion and the potential effect of the combined State and Federal seasons.

Currently the Association of Village Council Presidents have the cooperative agreement with U.S. Fish & Wildlife Service, and one element of that cooperative agreement allows for some discussion of Kuskokwim moose management. And we feel that perhaps through that cooperative agreement, maybe some other avenues, that AVCP might be able to help facilitate consensus building of the Kuskokwim communities as to what they really want and then perhaps share that with this council.

And this council could also perhaps, you know, help to determine what -- what the Kuskokwim communities want for a season here in the fall time and perhaps give the board some guidance to finally resolve kind of the Kuskokwim seasons, and then from there either go to the Federal board to make some changes, or through the council and through the Federal Subsistence Board perhaps put it to polls that the Alaska State Board of Game change the State seasons so that we have Federal seasons and State seasons in Unit 18 that are the same during the fall time.

So that was a very rapid summary. I didn't want to drag you through the entire analysis. If there are questions, I'll be happy to answer any.

I think the point here is that the simpler the season we have, the more similar the Federal seasons and State seasons are, the better for all the hunters that are out there hunting to be able to be legal without the confusion. I think that's a goal that we all want to try to shoot for.

What the Federal board would like, I think, and I think what this council could do is to help provide some guidances, you know, is there agreement that that season we have, August 25/September 25, is what we want or not, and if not, then let's develop some consensus on what we want.

MR. PELTOLA: Mr. Chairman, if I may comment. I respect the right, the interest of Kwethluk in putting forward their request to have a season -- the season, moose season, open on the 25th. Years ago moose season opened on the 20th. But I've had a lot of people, primarily Native people, this year come to me, knowing I'm on the subsistence council, and voice concern about the 25th closure on State -- on Federal property. And basically it's been Bethel Native people and people that don't have the financial resources to buy three or \$400 worth of gas to go upriver. And the late, the warm fall like we've had, the moose didn't start moving around until the last couple days of the season this year and they felt they got

cheated.

And, you know, there's two sides to the argument. I don't know how it is. I would be opposed to us recommending that the State open their season on the 25th and close on the 25th just for that reason; that I think a lot of people, a lot of village people would be -- would not get their moose on a warm fall, like this year, where the moose didn't start moving until the last couple days of the season.

MR. CHAIRMAN: Any more concern from the board?

MR. WHITE: Mr. Chairman, as I represent Platinum, the moose opening from August 25 to September 25, in my area, I do not mind those dates because there are other subsistence foods, such as fish, that we need to harvest and I have not opposition to the opening, to the August 25 opening.

There are, after September 25, a lot of times people have problems with freeze-up and the complications that come with freeze-up. And I wanted to mention that we harvest the fish in that time period, after September 25.

In regards to our concerns for moose populations, I'm in favor of that. From the mating season, from September through October, male moose are unpredictable and a lot of times they attack their hunters in the latter stage, in the height of the mating season. That is what I have. That's all I have.

MR. NICOLAI: In regards to changing the dates from August 25 to September 25, for those of you in the Yukon Unit 18, as I see it, from September 1 to -- that were open, from September 1, Unit 18, to the 30th, if the moose is harvested without allowing the populations to add up, you know that you will need to go to -- those of us here would have to go further for gas and supplies.

And I wanted to say in regards to the -- the Kilbuck caribou herd, which were low in numbers in the beginning, the group from Kwethluk made a request from Federal agencies to increase, and we had made a proposal if they reach a certain population of 500 we would have an opening. We in Kwethluk sat down and talked about this before this council. Now you see the Kilbuck herds, Kilbuck population, herd population, has increased.

We in Kwethluk know that there were few caribou in the beginning, and I have seen them while beaver trapping. When my father was alive, I had asked him that we should harvest caribou. My father had said that it will be better if we allow them to increase in populations and then you can harvest them later on as they multiply.

Now that the Kilbuck herd population has increased, more villages are now able to hunt them, the caribou and moose in Unit 18. Because, again, I fly in that area, traveling to meetings in that area, I see the moose along the Yukon River because they were visible. For that reason, I do not mind the opening from August 25 to September 25, with the intent of increasing the populations in that area of Unit 18.

And considering the cost of harvesting these herds, if you allow these populations to increase in the Kilbuck herd and if we monitor their populations, their movement using this, if we allow the populations to increase before harvesting, because of the cost of traveling and hunting, they use up to five drums at times when they -- when they hunt. I would like you to consider this. I ask you to comment on this.

MR. DAVID: I would like Moses to repeat some of the things he says.

MR. PELTOLA: Who, me?

MR. CHAIRMAN: Uh-huh, Gene.

MR. PELTOLA: I thought he said Moses.

The concerns that have been voiced to me basically come from Bethel people. They're Native people and they're people that can't afford the five drums of gas to go out there to moose hunt.

On a year like this year, when we've had a warm fall and the moose didn't start moving until towards the end of the season, they had to concentrate their huntings actually on village corporation lands, like your village, Akiachak and Akiak. And most of them were not successful, they didn't get any moose, and they felt that the -- the season on Federal land should extend through the 30th, like the State season does. And what they've had to do is concentrate, you know, on village corporation lands where the season -- the State has jurisdiction and the season still continued on to the 30th.

And because of the late fall, most of them didn't get moose, and I have a concern to say -- like Akiachak owns a significant part of holdings on the Kwik River. If the village corporation of Akiachak were to close that area down at some point in the future to non-shareholders, that would have a significant impact on the Native people in Bethel and the villages around Bethel. That's within the purview of Akiachak to do.

MR. ANVIL: Mr. Chairman, in regard to the August 25 through September 25 opening, because a lot of people harvest other fish and game in the latter part of the fall, to the -- what people harvest at that latter part of the season, right around freeze-up, I'm in favor of the August 25 to September 25.

MR. PELTOLA: Mr. Chairman, to give you a little background, this August 25th to September 25th season came about to accommodate request of -- from the Native village of Kwethluk, and they wanted to -- the substance of the request was to have the season more commensurate with their traditional use period, and then the entire -- from that request, the entire Game Unit 18, with the exception of the Yukon, changed from August 25th to September 25th.

At your village, what do you traditionally have, September 1 or August 25th?

MR. GEORGE: Before the opening of August 25th, I was satisfied with --

MR. PELTOLA: September 1?

MR. GEORGE: -- September 1. I sort of disagree with your statement on the moose that are -- I start hunting moose -- as I understand those that like -- that like to sleep late are the ones that do not see the moose. I -- since I started hunting, I've noticed that the movement of the moose is early in the morning. And I think those people that are late risers, that they probably are the ones that are not catching at that point, that they need to change their habits.

And in the winter, I hear of moose that are -- have starved, small moose that have starved. Those people that do not harvest in the fall perhaps can have access to the moose that they missed in the winter. If they would get up earlier in the morning, they would catch.

MR. CHAIRMAN: I think this is enough comment on -- into this. If we look at the survey of customary and traditional use, there is one village in the Yukon and also one village in the Kuskokwim, they had known as an early hunting season some middle of August. Maybe Kwethluk is one of them and one of them is Russian Mission in Yukon. Those two villages have a record of being hunted earlier.

MR. MANUMIK: Mr. Chairman, when this was first brought up, when the Kwethluk people first requested this change of dates, they wanted the dates changed because of the meat, quality of the meat, and that was the reason for the request for the change. I think we need to approach the people of Kwethluk and meet with them and ask you if you want to adopt the State's season. If we make this change without considering the people that made the request about this change.

MR. GUY: Mr. Chairman, Phillip Guy, Kwethluk. As stated earlier, this -- these people that were before us, although I am getting old, I am younger. As I was growing up, people started hunting moose about mid-August, and they hunted through September, in State's -- and that falls into the State's season. Those that are hunting for subsistence fall into those five days. If we allow the Federal -- Federal to work to administer the Federal lands and the State to administer their own, it will be better.

MR. PELTOLA: Mr. Chairman, I've got one final comment. Wasn't Kwethluk's original request August 25th to September 30th?

MR. COFFING: Yes, then it was cut back.

MR. PELTOLA: It was? Then the five days was cut back because of biological concern of resource?

MR. COFFING: Uh-huh.

MR. PELTOLA: Just how many additional moose would a September 25 -- I mean August 25 to September 30th season take? Basically Kwethluk and Russian Mission are the only ones that hunt during those periods of time. There's not that many more moose would be taken. Then at least the balance of the people who hunt on September 1 wouldn't be concerned about whether they're on Federal property or State property when they pull the trigger.

MR. CHAIRMAN: There's a man over there maybe could give us some answer.

MR. LARSON: Originally Kwethluk was asking for September 5 to -- rather August 25 to September 30. It wasn't for biological reason. It was a 30-day limitation.

MR. PELTOLA: Well, I think it was cut back, though, because the biologists felt the harvest would be excessive.

MR. LARSON: No, it wasn't a biological reason. It was 30-day limitation.

MR. COFFING: Excuse me, maybe I can help with some of this. At the January 1994 meeting where Kwethluk's proposal was discussed, there was some discussion about the problems in having a longer season, longer than 30 days. And the concern was to have a season longer than 30 days, then you potentially have more moose killed and maybe too many moose killed. And because of that discussion -- and Frank was at -- I don't know if Frank is here now, but Frank Nicori was at the meeting. And Frank then made the motion that, well, if that's the concern, let's just shift the dates and shorten it five days so we still have 30 days, so let's open August

25.

So Kwethluk, through Frank Nicori basically, and then at Kwethluk's proposal, the council then adopted that amended recommendation and that's how we got to August 25 through September 25.

MR. PELTOLA: But what I'm basically saying is I don't -- if there was a Federal season of August 25th, to accommodate Kwethluk and Russian Mission, through September 30th, most of the people are going to hunt from September 1 through September 30th anyway. I don't think there's going to be that many more moose taken, other than those two villages.

And Russian Mission -- I mean, Russian Mission, the moose population is sufficient, wouldn't have no adverse effect on the population up there, you know, based on your own biological information.

Kwethluk, I don't know, how many moose do you take from August 31st to September 30th in the village, five or six?

MR. NICOLAI: More than that.

MR. PELTOLA: More than that for the first five days of the season?

MR. NICOLAI: Yep.

MR. PELTOLA: Well, Fritz says his village basically hunts September 1, so it wouldn't be that much more moose taken.

MR. KAYCON: You're correct in that there isn't a biological concern on the Yukon, except the reason the Lower Yukon Advisory Committee -- or the Moose Management Committee wanted to (indiscernible) we had a moose management plan in place, saying that we didn't want to change the season until we reached a certain number of moose. However, on the Kuskokwim, both the Fish & Wildlife Service refuge staff and myself are concerned about the moose population. And what I'm hearing from the public, not just from Bethel, but some of the other villages, is that they want to see more moose down here.

And we took the tact with the State in an RFR two years ago to try to get the season inline so that the regulations can be better enforced and would accommodate most people, not everybody, you know, because some people do hunt in August.

But the problem was, we felt that having an August 25th to September 25th season -- sure, that's only 32 days, but most people don't care whether they're on Federal or State land. They're still going to hunt until September 30 regardless. So then you're talking about a 37-day season, so, you know, we didn't want to keep adding days to the moose season when we're trying to increase moose population.

We wanted to give people adequate opportunity to hunt moose. At the same time, we felt that extending the season by a whole week was probably not a wise choice. Maybe I'm wrong, maybe the harvest isn't all that --

MR. PELTOLA: But I contend that the legal harvest in those five additional days is a small, minute percentage of the total annual harvest of moose population in this area, in this region of Unit 18.

MR. KAYCON: You're probably right. I think unreported harvest is not the greatest. That's the real underlying problem. The problem is, is how do we enforce those regulations if they're so different.

MR. PELTOLA: The unreported harvest is probably far more detrimental to the moose population in that extra five days.

MR. KAYCON: Right.

MR. CHAIRMAN: Chuck.

MR. CHALIAK: We need to consider what we -- what we had talked about before. The moose hunters from my area are not catching moose. I was told by a hunter that they had a hard time hunting this year because they -- they were not seeing any moose and they had to travel a distance to where the moose were, although some were seeing some and catching them. But that's how it has been in my area, the moose has not been there.

I am considering those in my -- I am in favor of the August 25 to September 25 openings and I concur with Fritz's comment that those who do not harvest in the fall can hunt and catch in the winter season. A lot of times we do still have access to the moose.

If not in the fall, we can catch them in the winter.

MR. CHAIRMAN: I think this is becoming clear that what we are discussing in reference of the Federal and State, the difference in the openings and Federal and State seasons.

MR. DAVID: I have a question regarding -- a small question regarding the opening of September 25 to August 25. Was that to follow the dates used previously, than the earlier dates?

MR. NICOLAI: When I remember back, the openings used to be from about mid-August on, and these dates have been changed since State and Federal agencies have begun to enforce moose management, or moose. They say that people may spoil their catches, those who have -- the spoilage of is allowing.

MR. CHAIRMAN: There's a motion on the floor by David O. David, because he's scared of moose, to keep the season the way that it was passed by the board, from August 25 through September 25.

Is there any second?

MR. WHITE: Second.

MR. CHAIRMAN: Seconded by Steven White. Discussion?

MR. WHITE: Mr. Chairman, the Yukon opening from September 5 to 25, to change from September 1 through 30, this proposal was to be -- these dates were to be approved from August 25 to September 25, and those dates were not well received by people in the Yukon area. And this was confirmed by teleconference, this request by the Yukon people on the opening from September 1, and it was decided that that area would be open from September 5 to 25. And we had requested by teleconference to use these dates from September -- August 25 to September 25, and this was approved by the Federal Subsistence Board.

And today we -- this person has made a motion to adopt this and we have heard that the opening from mid-September, that had been okay. The State had regulated that the opening be opened on this time line, and this was brought forth by our secretary as in reference to spoilage. The food has spoiled because it is not edible. That that was when -- or the -- the reason for the change at that time, because I am in favor of this discussion, as it is not going against the wishes, the wishes of the majority.

And statements made by the Johnson River villages that a lot of times when they're hunting along the Johnson River, the freeze-up occurs while they're still up moose hunting on the Johnson with the change -- or the dates to September 25th. I have not heard too many complaints because people harvest fish about that time as

well, and I -- for that reason I am in favor of the August 25/September 25 dates.

MR. CHAIRMAN: Any more discussion?

MR. PELTOLA: Mr. Chairman, was there any enforcement actions this year against any people for taking a moose on Federal property?

MR. KAYCON: No. I talked to my enforcement people and I told them that we couldn't enforce it because people didn't know where the boundaries were. You know, it would be silly to try and enforce something that people didn't know was out there.

Most of the people that I talked to in my office that were going hunting in August were either hunting up the Kwethluk, not very far, or up the Kwik or up by Tumungula (ph), and most of that is private or State land. There's just no way to really enforce anything like that.

MR. PELTOLA: What's the position of the refuge?

MR. MORGART: Essentially the same. It's almost impossible for law enforcement.

MR. PELTOLA: I call for a question on the motion.

MR. CHAIRMAN: Question on the motion.

(No response)

MR. CHAIRMAN: There's a question on the motion. I'm going to request our secretary to make a roll call on a motion. Will you repeat your motion, please? Your motion was to keep -- will you repeat it?

MR. DAVID: We want to leave things as is at this point, to keep things as they are, August 25 to September 25.

(Roll call taken)

MR. PELTOLA: I abstain.

MR. MANUMIK: Mr. Chairman, we have eight yeses and one abstention.

MR. CHAIRMAN: Motion carried.

MR. BOS: Mr. Chairman, my name is Greg Bos, of Fish & Wildlife Service, Subsistence, in Anchorage.

I think the Federal Subsistence Board has noted that this council has dealt with this issue several times, and each time you have confirmed your support for the seasons as they stand now in the Federal regulations.

The Federal board is concerned with the problems with confusion of hunters as to which lands are open or may be closed, the lack of boundary definition, possible enforcement problems, and in some cases -- in some cases the possibility of overharvest of moose because of a longer season. And the board would encourage the council to consider working with the State Fish & Game people to get the State's support for changing the State season, to make it the same as the Federal season, and possibly for the council to submit a proposal to the Board of Game to change the State regulation, to make it the same as the Federal regulations.

I mean, you have in several council meetings now agreed that the Federal seasons are -- best represent the customary and traditional hunting time, the seasons you want to have the moose, and if there's a problem with different season dates between Federal and State, maybe we can get the State to change their seasons to eliminate many of those problems.

MR. CHAIRMAN: I think this council is able to do that. Also, we have a state advisory board chairman chair in

regional advisory council with us.

MR. MANUMIK: Mr. Chairman, I'm beginning to question whether there are enough regulation books circulated around to the hunters if there's confusion among hunters and the enforcement people. That's what I'm questioning right now, whether there's enough regulation books circulated out to the hunters or not. If there aren't, that's where the confusion should stand, not between the hunter and the Fish & Wildlife.

MR. BOS: You're right. I think if there is a way to get regulation -- more regulation books out to people, that would help, but I think the confusion is not so much with the different regulations, it's where the lands are, whether Federal lands or Native lands or State lands. They don't know where those boundaries are. That's the confusion, so they don't know which regulations to use where they hunt. They don't know if it's lands to use the State regulations or lands where they need to use Federal regulations. That's the confusion that we're trying to avoid.

MR. DAVID: I can answer that easily. From the time of my father and grandfather, the lands belonged to them. No Federal land, no State land. But unfortunately, and I know you don't like the sound, the land was stolen from us, from the people, original people of the land and without the consent of the elders. Because ANCSA came up without our consent, it became a corporation land. We never was asked until after it was written down and the law itself was -- the law itself when written, the bill was too complicated for the lawyers to explain it to the people.

And I have said before that those -- that the lawyers were pretty dumb lawyers because they were -- they didn't understand the bill itself. That's where the confusion starts.

MR. CHAIRMAN: Okay. Randy.

MR. KAYCON: I just wanted to make one comment. At the last regional council meeting, I was asked by this council to write a proposal to make a statement, and I did that through my regional staff and we do now have a winter season, a Federal season window of opportunity. However, we felt that we didn't have enough public information or public comment on the Federal season. We were getting a lot of comments that people wanted to maintain subsistence (indiscernible).

The State advisory committee can come to some agreement on a State season on the Kuskokwim and let me help the proposal process go through a little faster, but for me myself just to write a proposal to change the season wasn't going to work. It was going to have to come from the public.

So I did go follow through at the request made by this council to write a proposal to change the State season and we did change the winter season to limit the Federal one, but the fall season, like I say, is still different on the Kuskokwim. I just want to make sure that you all were aware of that.

MR. CHAIRMAN: Moses.

MR. NICOLAI: Thank you, Mr. Chairman. I think a lot of people are confused on the State and Federal land maps because a lot of elders don't even know how to read the blueprint. I think it would have been better if they highlight the State and Federal land with different colors on the game management units. Even a guy who don't know how to speak English will understand what color they stand for. They'll ask the Natives what color is this, does boundary land

stand for, and they'll know a Federal land is different color and they know it's Federal land, and State color.

If you have different colors on the map, I'm sure they understand what the Federal/State land is, because a lot of people, as far as a lot of elders don't know how to read the blueprints and then they always have a hard time when they ask where is the State land and where is the Federal land and where is the corporation land.

I think if we could highlight with the different colors on the Federal and State land, I think it would be better off, they'll understand better. Thank you.

MR. CHAIRMAN: Yeah. Well, those of us on the Yukon, we in our village work with State regulations because people are not aware of the differences in State and Federal lands or their boundaries. We would like to hunt in the upper regions. We approached the moose management planning group. They had advised us not to put together recommendations that would be detrimental to their needs, and they have because (indiscernible).

We are here on this council because it is our job to bring forth desires of the people in this area. We are being asked by the subsistence consumers to -- to present their needs. We need to understand that we -- that this land that we're dealing with pertains to Federal lands, not State.

It was approved -- since the State was approved August 25 to September 20, we're going to move on to the next item, special action request from Togiak, moose, 17A.

MR. BOS: Mr. Chairman, could we talk about 17A, moose?

MR. CHAIRMAN: Yeah. I'm using a different --

THE INTERPRETER: For purposes of translation, this will be in Yupik to English, since the council is bilingual.

MR. CHAIRMAN: Mini course wildlife, that's what it is, conservation management. It's not on this -- on the agenda that was sent out to us, so we'll use this -- on the booklet, it's new business, B, wildlife conservation management, Dave Fisher, wildlife biologist.

MR. ANDREW: Mr. Chairman, Greg Bos in his place.

MR. CHAIRMAN: Okay.

MR. BOS: Mr. Chairman, at the time the agenda was developed, it was the subsistence staff's intent to prepare a presentation for the council, where we could present information and knowledge and a description of the methods that biologists use to manage wildlife and as well to share -- to obtain information from people such as yourselves about the traditional knowledge that you have about wildlife and share and exchange ideas about wildlife management so we would achieve a better understanding of how we can better manage wildlife population in this region.

We have not been able to develop the presentation to the point that we can proceed with it. Dave Fisher, the biologist who normally is on the regional team for this council, could not be present here today and asked me to suggest that we should bring this forward as an item at the next meeting or when it would be convenient, then we can have a fully prepared presentation. So with your indulgence, we'll skip over that item in the agenda.

MR. PELTOLA: Mr. Chairman, I move that this item be tabled to one of our next meetings.

MR. CHAIRMAN: There's a motion on the floor to table

this item on agenda for next meeting.

MR. MANUMIK: Second the motion.

MR. CHAIRMAN: Seconded by Paul. Discussion? Question being called for, all in favor say aye.

IN UNISON: Aye.

MR. CHAIRMAN: Opposed, say no.

(No response)

MR. CHAIRMAN: Motion carried. That certain item on agenda is tabled until next meeting.

Next on agenda is special action requests from Togiak, moose, 17A, customary and traditional proposal customary to (indiscernible).

MR. BOS: Mr. Chairman?

MR. CHAIRMAN: I'm talking about the first one. C. I'm on C now. Okay. That's on moose 17A?

MR. BOS: Yes.

MR. CHAIRMAN: Uh-huh.

MR. BOS: The Federal Subsistence Board received a special action request from Togiak traditional Council and the Togiak Fish & Game Advisory Committee to open a season for bull moose in Unit 17A from August 20 to September 20. This was the same proposal that the Togiak traditional Council made last year to open the season for moose in 17A.

The Bristol Bay Regional Advisory Council recommended that the Federal board defer action on the proposal until a census of moose in 17A could be done to see how many moose there were. The census was completed in February of 1995 after the council had met.

The Federal Subsistence Board in April, at its annual regulation meeting, deferred action on the proposal until it could be brought back before the Bristol Bay Regional Advisory Council, and the council could then review the results of the census and the other information that might be available. So the Bristol Bay council will be reviewing that special action request next week and will be making a recommendation to the Federal Subsistence Board.

I mentioned the census was completed in February and an estimate of the moose population in the area that was flown was 101 moose. However, there is no information that I'm aware of on the number of bulls and cows and number of calves, on the composition of the population, and that information would be very important to deciding the effects of opening the moose season in the area.

Andy Aderman from the Togiak refuge might have additional information to offer, but at this point in time the Federal Subsistence Board is waiting to see what recommendation comes forward from the Bristol Bay Regional Advisory Council before we take action on this request.

MR. ADERMAN: Mr. Chairman, my name is Andy Aderman. I'm a Fish & Game wildlife biologist with Togiak National Wildlife Refuge in Dillingham.

What Greg has been talking about, moose in 17A, concerns -- concerns this council for two reasons as I see it. First, there's three villages in Unit 18 that have customary and traditional use for moose in this area in addition to the residents of Unit 17. Those three villages are Platinum, Goodnews Bay and Kwethluk, so any season that happens in this area has a potential to impact residents in those three areas. There hasn't been a moose season open in this area since 1981.

The second reason is, what happens to moose in this area is going to affect moose over here in the Kanektok and Goodnews drainage and there's not many moose in that area.

So this is something to think about. I don't think we have to take action or you have to take action now on it, but this spring, when -- or this winter when you meet again, you may want to.

MR. PELTOLA: The season was closed in '81 due to harvest levels -- I mean due to population levels?

MR. ADERMAN: Yes, I believe the survey in 1981, while it was, I think, about four hours in length, they only counted three moose in that -- in the Togiak drainage. And subsequent surveys since then, I don't believe any of them have found over 15 moose, until two years ago, two winters ago, and there was about 80 counted.

We did a real thorough survey this last February. Greg mentioned the estimate for the area that we surveyed was 101 moose. We looked at the other areas in 17A and extrapolated that estimate out. We're looking at 136 moose in the whole subunit 17A and figure roughly about 120 of those would be on Federal land, Federal refuge lands.

MR. PELTOLA: Is the impact on Kanektok because that's where the animals are coming from?

MR. ADERMAN: Well, I would think just location-wise that that's where -- where moose are going to come from, into the Kanektok drainages, is through the upper Togiak drainage, certainly for the Goodnews drainage. And we've seen our first moose this winter in the Goodnews drainage, I think, in the last four years. We had two moose during the winter survey in the Goodnews drainage. There's not many moose there. We think there can be.

MR. LARSON: We requested this proposal last year in Unit 17A and it has been closed from 1981. They requested this unit to be open last year, but were late, and their requests, they had been told they could make an opening after populations have been counted in that area, in Unit 17. And based on those findings, we're going to make an opening and this will be brought up at the next meeting.

Moose cross over into this area, in the Goodnews Bay area, moose has been caught in -- caught and sighted in that area. Moose do cross over into that area, but a lot of times harvested and not allowed to come for populations to multiply.

MR. DAVID: This moose that is coming in to that area, do they have a separate opening?

MR. LARSON: The response is that this has been closed, this area has been closed since 1981, but a request has been -- was going to be submitted to open that area, but was late. The populations have added -- or grown since the closure.

(Proceedings not translated)

MR. DAVID: I'm asking if we as a council are going to be addressing that area.

MR. NICOLAI: This area that they're talking about, they mentioned the people from Kwethluk. They have hunted 17A and a lot of times when they go out there, they run into people from that area. And, again, I have run into people in that Unit 17A and they have stated that they were moose hunting but they have not sighted any. And we have sighted some moose in some parts of that area, but we have left them alone with hopes that they will multiply.

And I have run into people in that area, about Aniak,

where the spruce, large spruce begin. If we could co-manage for this area as we do with the Yukon area, then keep them abreast of what we're doing, if we could advise the people from Kwethluk and those areas that they mentioned that come to this Unit 17 to hunt, it would be good if we -- if they would allow them to multiply in numbers like we have tried in this area.

MR. CHAIRMAN: Any more discussion? Steve.

MR. WHITE: Mr. Chairman?

MR. CHAIRMAN: Steven.

MR. WHITE: This was a request from Quinhagak, as it is a part of Unit 18. They are requesting an opening of that area. I had told them that I am a part of the subsistence council and I will mention this to them, to you for them. They are in that area of closure, Togiak people. We should not treat them any differently because they are from another area, because they reciprocate with the harvest of other fish and game.

It is my -- I'm in support of this request of the people in that area to make an opening in that Unit 17.

THE INTERPRETER: Steven White makes a motion to support the request of the people at Platinum, Quinhagak, Goodnews, to give them access to this area.

MR. CHAIRMAN: Seconded by --

MR. PELTOLA: I would like to know the position of Kwethluk. Moses said they wanted to see the population grow some?

MR. NICOLAI: I've hunted a lot up there in 17A, a lot of times during the wintertime. We -- at least we usually go about seven and seven in a group. We usually see some moose around that 17A area, but we usually leave them alone because we're heading to the fork of Akiak.

And during those times we usually bump into Togiak people who are hunting there, and they usually ask us where are you guys going and we say we're hunting in the fork of Akiak. And -- because the elders have been telling us from the first -- first day they approach moose in that area, they leave it alone in order for more moose to be there.

I think what our forefathers had told us, that we think it's about time for treasurer and the advisory committee to work together and try to have a co-management so they'll know among each other what the population is.

MR. CHAIRMAN: Any more discussion? David.

MR. DAVID: Is it possible to include the Kwethluk group in the co-management, cooperative management group? I think it would be beneficial to include Kwethluk in co-management group.

MR. NICOLAI: Those villages that they have mentioned earlier that hunt in Unit 17A, if we could invite them to go to the meeting.

MR. CHAIRMAN: Any more discussion?

MR. PELTOLA: I've got a question. Technically, if the Federal Subsistence Board approves Togiak's request based on the recommendation of the Togiak refuge advisory board, then which villages will be allowed to hunt? Just Togiak, or Togiak, Platinum, Goodnews and Kwethluk, the ones that have exercised a demonstrated historical, cultural hunting pattern?

MR. COFFING: Yes.

MR. PELTOLA: Your motion includes Quinhagak?

(Proceedings not translated)

MR. PELTOLA: His motion -- Steven specifically mentioned Quinhagak, but if this is approved, Quinhagak would probably be left out because they can't demonstrate a prior historic, traditional use of that resource, because you mentioned three villages in our region. You mentioned Goodnews, Platinum and Kwethluk.

MR. CHAIRMAN: Mike, will you respond to that question?

MR. COFFING: Yeah, I sure will. If the Federal Subsistence Board adopted a season for moose in 17A, then only those residents and villages that have customary and traditional use of moose can participate in that hunt on Federal land. And currently that's all the residents of Unit 17, Goodnews Bay, Platinum and Kwethluk. So right now Quinhagak and Goodnews are not part of that group of villages.

In order for them to be eligible, the board would have to adopt changes to the C&T find to include Quinhagak, Goodnews Bay in that group and then they would be eligible. But as it stands now, they're not.

MR. BRELSFORD: Mike, Goodnews is. Quinhagak would not be, but Goodnews Bay is.

MR. COFFING: Yeah, Goodnews Bay is, Goodnews Bay is. Platinum and -- and I said Goodnews Bay, Platinum, Kwethluk in 17 do have C&T use.

MR. BRELSFORD: Right. So Quinhagak is the one --

MR. COFFING: Quinhagak would be the only one.

MR. DAVID: Steven's motion includes Platinum, Goodnews and Kwethluk and Quinhagak.

MR. WHITE: The statement that came from Quinhagak was that the river was closed in Unit 18, and I told them that I will bring this before this council, since they are all subsistence users.

MR. PELTOLA: The Kanektok River is closed right now for moose?

MR. MANUMIK: What they're saying is even though Quinhagak River is part of Unit 18, the residents of Quinhagak finally realized that even though the river is open, they have never known it before. They finally found out. It's never been brought to their attention that it's open.

MR. COFFING: Let me clarify, hoping to avoid any more confusion here. Under the State regulations, Kanektok venues are open, under Federal regulations, they're closed, so that's the difference. So technically if you're on venues of Quinhagak -- the Kanektok River --

MR. WHITE: Those are being confused on these two, State and Federal.

MR. COFFING: Yeah, that's the difference.

I was just going to add one thing in terms of what Greg was discussing; that is, the moose for Unit 17A, whether this council wants to take any action or not, I guess, but I wouldn't let the fact the Quinhagak isn't included stop you from taking action on it. You can go and take action and then maybe this council will want to make a proposal to change C&T to add Quinhagak, and then they're in and you've got them covered.

MR. PELTOLA: I call for question for the motion.

MR. CHAIRMAN: Question has been made. Any more discussion, but the question has been made?

Okay. I think I'm going to request for roll call.

(Roll call taken)

MR. CHAIRMAN: Motion pass. We have ten-minute break.

(A recess was taken)

MR. CHAIRMAN: We're still on agenda, new business, customary and traditional process, how to make customary and traditional proposal, customary and traditional analysis, what happens to the customary and traditional proposal, Michael Coffing.

MR. COFFING: Thank you, Mr. Chairman. What I'd like to do is just direct you to some things that are in your booklet, the yellow sheet that has some instructions for completing a proposal form. I wonder if you also have a copy of a blank proposal form in there. If not, there's some on the back table here. And also there is an example of a C&T, or customary and traditional proposal in the booklet that looks like this.

Well, in essence, the proposal form is kind of the tool you use to put a proposal in for either changing a bag limit, hunting season or a customary and traditional use determination. The proposal form looks a little different this year than it has in the past, because this year, for the first time in some time, the board is taking proposals on changing customary and traditional use determinations throughout the State and Federal lands.

The instructions are somewhat self-explanatory here, but I think I'll briefly go through them just to hit the high points here so that we can focus on what we need to have on the proposal form.

Essentially what we want to be sure we have on a form is enough information that can direct the staff, who need to understand what it is you or the public would like to change, what part of the regulation you'd like to change, or, in the case of a customary and traditional use determination, what is the determination you'd like to change. In other words, do you want to add a community, do you want add various people who are eligible to hunt and fish in particular places. And this example is going to be hunting, that's what we're taking proposals on, and trapping. So that's kind of the focus on the instructions on the proposal sheet that we have here.

Let's see. Perhaps the -- I guess perhaps what we can do is go through the example, I think everybody has the example in the booklets, and perhaps if we step through that here, we can look at an example of a customary and traditional proposal, and this, I think, would be a good model for how the council wishes to develop any proposals that it wishes to later today or perhaps tomorrow, whenever you want to work on those.

This proposal, this example of the proposal was actually toward -- for musk ox and it's for Unit 22. One of the most important things that we need to have on the form here is we need to know who it's coming from, we need to know who is submitting it, we need to know what agency it's coming from.

In the past, there have been some proposals that have been sent in without a full name on them, so it's hard to know just who that -- who is recommending the change, and sometimes there are questions on proposals that are sent in and we need to contact the maker of the proposal to clarify certain parts of it, so it's very important that we know who is sending it in and we have a mailing address or a phone number or fax number, something like that, so we

can contact them if we need to.

On the example in your booklet, the example asks, essentially item number two, how would you like the proposal regulation changed. And in this section you'd have specific information, at least as specific as possible, as to what you'd like to have changed, be it a season, a bag limit or a customary and traditional use determination.

In this example, the proposer wants to make a determination, customary and traditional use determination, for residents of Unit 22, the musk ox hunting in Unit 22. That's the type of thing you'd put in that spot. We also need to have some explanation of why you want the regulation changed, why do you want the customary and traditional use determination changed.

And then I'd like to step back for a minute and use the example that Mr. White, Steve White, gave us for Unit 17A. Currently Quinhagak is not included in the determination, and here you could -- perhaps one of the justifications might be that residents of Quinhagak traditionally hunt moose in 17A and they're not currently included and they should be included in order to be eligible to hunt during open Federal seasons.

There needs to be some statement about how the change will affect wildlife populations. This is probably more -- perhaps will be more fully developed if it's a regulation or a proposed regulation to change hunting season or bag limits, methods and means, something like that. In the example here, the -- it simply states that there should be -- should not be an affect on the musk ox if the management plan is followed and only the allowable number of musk ox hunted in the plan are harvested.

Item number five, how will this change affect subsistence users. Again, in the example, change in the C&T determination, in this example, will enable subsistence users to hunt for another resource and get more variation in their diet. It will also give them an opportunity to share meat with their families.

Item number six, seven, eight and nine are very important for a customary and traditional use proposal. Item number six essentially asks which communities have used the resource and indicate, if possible, what times of the year people traditionally hunt and use the resource.

The determinations are often, they're in a booklet now, are often by area or by unit or by subunit. For example, sometimes they say residents of Unit 18 and other areas, like -- or other species, say, for Kilbuck caribou, it lists specific communities that use that herd. So here you could use the region, the unit, the subunit. Again, as much detail as possible when you're developing proposals and writing them, the better for us, the staff, and the public and the Federal Subsistence Board to understand really what it is you're trying to do here when you submit your proposal.

Information about where the resource is harvested, that is specifically geographically what area is hunted, is it north of the Yukon area, is it south of the Kuskokwim, is it south of the Yukon, is it downriver of Mountain Village on the Yukon on the north side. You need to be as specific as we can, identify which geographic area you want the C&T determination to be affected in.

Information about what months and what time of year people traditionally hunt and harvest the resource is very useful in understanding customary and traditional uses and explains those uses

to the Federal board. It also helps the board understand how current seasons will be impacted or how -- perhaps how seasons might be related to what people traditionally do.

And sometimes proposals are submitted to change the season dates. We had one a couple years ago to change moose hunting on the Kuskokwim to begin August 25, and there was some information available that indicated what months in Kwethluk and Russian Mission that they had traditionally hunted. That type of information is very important to put in.

Any additional information that the council, the public or anyone that's here has about, you know, background information that might support the proposal, if they can expand a bit on anything that's not asked in the preceding eight questions would be very helpful.

One of the items that I can think of that would be very helpful is if there are particular individuals or agencies or village councils or joint groups who might have maybe some traditional knowledge on seasons and traditional areas that people hunt and methods they use to hunt, how they get to where they're going and so forth. Maybe it isn't written down in a report anyplace, but it's knowledge people have in their heads or that you know, that there are some of those people that we could contact to get more information, that would be very beneficial.

Once a proposal is written up and submitted, it goes into the Fish & Wildlife Service Subsistence Division in Anchorage, and there the proposals are bound in a booklet for each particular region of the state. There will be a booklet for the Y-K Delta region, there will be one for the western interior region, Arctic, each ten regions will have a proposal booklet. And in those booklets will contain the analysis, the staff analysis.

Now, when proposals come in, myself, John Andrew and Dave Fisher, who is not here, but is a biologist, will look at the proposals and we will gather all the available information that we can. We'll get information from the Y-K Delta refuge, the Togiak refuge, from the Department of Fish & Game, literature that's in the libraries, traditional knowledge that people have that we know we can get information from, and we'll try to do the best job we can of basically pulling together all the information, putting it in one place as an analysis, and then making that available in that booklet for this council to look at during its January meeting. So then the council can sit down and go through each one of the proposals, discuss them, look at the pros and cons and then make a recommendation on them.

From there, of course, the council's recommendation will go on to the Federal Subsistence Board and the subsistence board then will deal with them at their board meeting.

So that's -- that in essence is kind of the, I guess, the trail of a C&T proposal and the type of information we need, the form to use, the yellow sheet or the instructions. I've described a bit the analysis that takes place, the council meeting, the Federal board meeting and so forth.

If staff that are here at this council desires to submit any proposals, we're here to help. Basically you can let us know what you want to do, when we get around to that point on your agenda, and we'll do the best job we can to get everything in the right place and being sure that what you want is kind of in the right

words on the proposal form before it gets sent in.

Let me look to see if there's anything else I've missed here before I stop.

I think that's about it. I guess I want to mention one thing that may not be directly related to a proposal form or the instructions, but just a general comment. There are probably going to be some areas where this council might make some recommendations on customary and traditional uses that are going to be on the edge of your regional council area or may in fact even be in another regional council area. There may be some changes you want to submit for Unit 21 or Unit 19 or Unit 17, which are in another regional council area.

You should not let the fact that a region -- that an area is outside of your regional council boundaries stop you from submitting proposals. But I think it will be very helpful to keep in mind that as you're submitting proposals for other regions, remember that other councils are going to be looking at those proposals as well. And there may be some time when this council, perhaps another council, might want to get together, at least share information, so that councils can come together and maybe develop a consensus on C&T determinations across their boundaries.

You know, ideally it would be great to go to the Federal board with a unified approach between councils on C&T uses that affect multi-regions so then the board wouldn't have to decide which way to go with it.

I'll stop there and field any questions and then we can move on. Thank you.

MR. CHAIRMAN: Any questions or any discussions from the board?

(No response)

MR. CHAIRMAN: Mike, do you have any more?

MR. COFFING: I have nothing more on that, maybe just a general comment. In the regulation booklet there are -- the current customary and traditional use findings are in the regulation book, and perhaps when the council gets around to making proposals or thinking about what proposals they might want to make, they can refer back to the regulation book. It might help guide the council on some of those.

MR. CHAIRMAN: Thank you. If there's any other questions or any other business on this certain agenda, item on agenda, we'll go to the next one, council identification of priority C&T issues in the regions, council review of existing C&T in Unit 18.

MR. COFFING: Mr. Chairman, I guess I'll field that one as well here. Let's take those one at a time.

One of the things that would be very helpful to -- certainly to staff, to staff committee and to the Federal board is in -- as this council moves towards making recommendations on customary and traditional use determinations, as this council moves towards developing proposals to change or add to the existing determinations, it would be, I think, very helpful if the council would step back and try to identify within their region what are the issues and which issues are a high priority and which ones are maybe not a high priority, and then -- then start at the top when you have high priority issues when you're making the proposal, so that you focus on the ones that are most important to the council.

Let me give you an example perhaps. Customary and

traditional use of marmot may not be a high priority to the council, customary and traditional use of moose in Unit 21E might be a high priority to the council. So I think if you can maybe discuss amongst yourselves what are the issues related to subsistence, C&T determinations anyway, and then we can make a list of those. After we've done that, we can then step through and look at what existing C&T proposals we have, and we do have a few that we need to look at, and then move on -- move on with those.

MR. CHAIRMAN: You're talking about E or F?

MR. COFFING: E.

MR. CHAIRMAN: E. Anything from the board?

MR. PELTOLA: Well, I think one of his recommendations that I'm concerned about, customary and traditional use of moose in 21E. That's the Holy Cross area and (indiscernible) area. I think people on the Kuskokwim have traditionally -- customary and traditionally harvested moose specifically in the winter in 21E. I know I've hunted up there since the early '60s, '62, '63, and Akiachak goes up there all the time.

MR. CHAIRMAN: Mike, for your information what we do in Mountain Village, we let -- our traditional council in Mountain Village is made up by elders. We let elders look at identifying priorities of customary and traditional use before we even suggest even like -- like there's an organization moose management plan now, that we go to the elders first and make them recommendations.

If there's any more on that one, we will go to the next one, review -- council review of existing C&T in Unit 18.

MR. COFFING: Okay, Mr. Chairman, I'll take that one as well and I have a handout for you. I apologize, it's not in the booklet. I put this together yesterday.

Mr. Chairman, what I'm handing out is basically something I put together for my own use and I thought the council might benefit from it as well. This is a list of proposals that -- since the Federal government has taken over management of subsistence on Federal public lands, some proposals have come in, and up until now the Federal board has really postponed or deferred actually taking them up and dealing with them.

So there are 13 listed here, and I've kind of grouped these by species and somewhat by topic. On the left there, you can see the species. The number is basically for office use, for our use. That's the number of the scientific proposal when it came in. Add residents of, that column essentially indicates what the proposer wants added in terms of C&T use. And the area, unit or subunit affected is where the proposer wants C&T uses recognized of.

In other words, in item number one there, the species is moose, the proposer, which is AVCP, wants to add the residents of all Unit 18 villages to have C&T use of moose in Unit 21E. Okay?

And if you look down, there are essentially six proposals -- those first six proposals deal specifically with C&T uses of moose in Unit 21E, so nearly half of them deal with the issue of it being identified as a high priority. One of those, which is item number three on here, is actually a proposal by this council for C&T uses of all Unit 18 villages in Unit 21E.

There's also one there by the Lower Yukon Fishing Advisory Committee. I've listed these not in any order of priority, not thinking that way, but kind of in species and geographic areas here.

So this essentially is what the backlog of proposals are, and what staff would like the council to do is to give us some direction as to what you want us to work on, which of these proposals. And I guess what I'm asking you to do is to prioritize this backlog list here and tell us which ones you as a council feel are important and you want us to address.

In addition to these proposals, the council realizes that the time for proposals is open now and there will probably be additional proposals submitted by the public.

MR. PELTOLA: It's open until the 27th?

MR. COFFING: 27th of October is the last day for proposals to be submitted.

Now, there's also the likelihood or potential, I should say, that in addition to these 13, there are -- I don't know how many to expect from this region, not only from the council, but from the public or from the State or anyone else to the Federal board affecting Unit 18 -- or I should say affecting residents of Unit 18 or C&T by residents of Unit 18.

If we end up with a lot of proposals on C&T, I'm going to be faced with making a decision about how much I can do, how much analysis I can do, both on --

MR. PELTOLA: Which ones?

MR. COFFING: Pardon me?

MR. PELTOLA: How much analysis you can do for particular --

MR. COFFING: I'll have to decide which ones I can do.

MR. PELTOLA: You need some prioritization.

MR. COFFING: I'll have to decide -- I won't be able to do a legitimately good analysis on all these proposals, any new C&T proposals, plus any season bag limit, methods and means proposals that come in. There's just not enough time and not enough staff to do it all. Any help you can give me on prioritizing this list, you know, to John and me and the staff that are here, would be real helpful and needed.

MR. PELTOLA: Mr. Chairman, looking at this list of 13 items, with the first seven items being moose and the first seven items in their totality requesting C&T designation for 21E, I think that should be the priority. I mean, the first seven items are in relationship to moose and you've got a potpourri of entities proposing, the AVCP, Lower Yukon Advisory Committee, this regional council here, the Kwethluk Joint Group, Mountain Village's corporation, Akiak, Akiachak, and they're all proposing that 21E, the residents of those entities, become designated C&T users of that resource in 21E. I think that should be a priority.

MR. COFFING: Mr. Chairman, I want to be sure I don't skip something that John has provided and is in your handout. There is a table that looks like this in your booklet. And essentially what John has done, he's contacted each of the original proposers to ask them, we have an old proposal, it's still alive, we may still deal with it, are you still interested in seeing us deal with it, do you want to withdraw it or do you want to keep it active. And I think, except for a couple which we weren't maybe able to contact or locate the proposal on, essentially every one of them wanted their proposals, am I right here, John, they wanted their proposals left in the program.

MR. ANDREW: Everyone that was contacted still want

their original proposal to be considered, except for Aniak, where they weren't sure what their original proposal looked like and we weren't able to contact Ron Syllis (ph) on the statewide moose proposal, which was a potlatch moose proposal statewide.

MR. PELTOLA: And Aniak was (indiscernible) is here.

MR. ANDREW: Leo Martin was contacted, but he did not remember what his original proposal was. From my understanding was meant to include people from Unit 19 to be --

MR. PELTOLA: Customary and traditional uses of moose in 19?

MR. ANDREW: Right.

MR. COFFING: Mr. Chairman, I might add, we have copies of the original proposals and any of the public or the council that wants copies of those, we can provide full sets for you to look at any time you want to do that. We just need to have time to go to a copy machine and make copies, but we can do that for you.

MR. CHAIRMAN: Any more discussion on certain item? Yeah, Phillip.

MR. GUY: Thank you, Mr. Chairman, regarding and with respect to item 12, black bear, the Kwethluk Joint Group did submit a proposal to include these species under customary and traditional uses. They did submit a resolution last year, but nothing to date has been done about it. I don't know how Calista had overlooked it because the submitted resolutions usually go through -- go to AVCP and the Yukon Delta national refuge staff here.

MR. COFFING: Mr. Chairman, let me respond to Phil.

Phil, I'm not sure that anyone went through the resolutions and pulled those out and really developed them into proposals, and it may have been that it wasn't in a proposal -- it wasn't recognized as a proposal, perhaps, but knowing that you have a resolution, if I don't have a copy, I'll get one from you and we'll try to roll that in and maybe we can get it in as a proposal this time and have it dealt with.

Currently for Unit 18 there is no determination for black bear.

MR. GUY: If I may add a little bit, Mr. Chairman, the Kwethluk Joint Group, during its discussion, did note that there was no determination, but they would prefer to have that more specific. Thanks.

MR. CHAIRMAN: Any more discussions?

(No response)

MR. CHAIRMAN: If there's not, we'll go to next on our agenda item, council actions prioritizing the backlog of C&T proposals.

MR. COFFING: Mr. Chairman, I might have jumped ahead.

Backlog is just what I did, so I apologize for that. So what I just put in front of you was the backlog. Okay?

And as I understand the council's -- and I'm going to mention this so I'm clear on what you want us to do here. My understanding is that the council wants us to prioritize the first seven, which are Unit 21E.

MR. PELTOLA: Do you want me to do it in the form of a motion?

MR. CHAIRMAN: Uh-huh.

MR. PELTOLA: Okay. Mr. Chairman, I move that the priority, in regards to the backlog of C&T proposals, be the

justification to research it and analysis, if needed, to justify the request for C&T designation of moose in 21E.

MR. CHAIRMAN: Second?

MR. DAVID: Yeah, I do.

MR. CHAIRMAN: Seconded by David O. David. Discussion on motion?

MR. PELTOLA: Question.

MR. CHAIRMAN: Question has been called. All in favor supporting motion, say aye.

IN UNISON: Aye.

MR. CHAIRMAN: All opposed, same sign.

(No response)

MR. CHAIRMAN: Motion carried.

MR. COFFING: Thank you, Mr. Chairman. Perhaps on the remaining six you can give us some guidance on how you'd like those prioritized. On numbers eight through 13, are any of those ones you'd like to have us look at as a second priority, third priority and so forth?

MR. CHAIRMAN: What is the consensus of the board members, second priority?

MR. PELTOLA: Mr. Chairman, I'm a little concerned that -- Phillip, black bear is not a designated C&T resource within the refuge here?

MR. ANDREW: No determination.

MR. COFFING: Yeah, it's not no subsistence, it's simply no determination, and that's essentially been adopted from what the State had.

MR. PELTOLA: There is a customary and traditional utilization of black bear for food, and I can't -- it kind of blows my mind that it's not a designated resource because it's used as a food item through the entire region. Yukon people take black bear, we take black bear here, villages around here.

MR. COFFING: Gene, there is a -- if I can explain it a bit. That was adopted from the State's old findings, as much of the earlier C&T findings were. The fact that there's no determination essentially means that anyone can hunt. I mean, there is a season for it, so --

MR. PELTOLA: What happens if the resource gets scarce?

MR. COFFING: Well, on Federal lands, you know, potentially it could be limited only to rural residents. It could be rural residents, including people in Barrow, but that's where having a C&T determination on black bear would allow you to limit it only to particular communities that had C&T use.

MR. PELTOLA: Well, Phil said they got a resolution. Can this council put it in the form of a proposal?

MR. COFFING: Certainly. Certainly can.

MR. PELTOLA: I move that we do that, Mr. Chairman. I move that this council take an active role in taking the Kwethluk Joint Group resolution and put in a proposal to designate black bear as a customary and traditional resource here.

MR. CHAIRMAN: Is there any second?

MR. ANVIL: Second.

MR. CHAIRMAN: Seconded by Antone Anvil. Discussion? The motion has been called. All in favor to motion say aye.

IN UNISON: Aye.

MR. CHAIRMAN: Opposed, say no.

(No response)

MR. CHAIRMAN: Motion carried.

MR. COFFING: Okay. I think I need a clarification, maybe from Phil Guy, and maybe also some direction from Gene here. Since I don't have Kwethluk's resolution, I need to look at it and see if it's specific only to Kwethluk using black bear.

MR. PELTOLA: Well, it's their resolution. You want it specific to the region?

MR. COFFING: So you want, that's why I'm asking, all of Unit 18, residents to Unit 18?

MR. PELTOLA: Yes.

MR. COFFING: Okay. Thanks. So then by doing that, would you suggest we move item number 12 as a second priority, then, Gene, which is black bear?

MR. PELTOLA: I've got no problem with that, yeah. I think you got three caribou proposals. They should -- well, we're going to end up with a whole list again.

MR. CHAIRMAN: Mike, I would like to ask you a question. How about other customary and traditional use of species that we never mentioned in any other meetings?

MR. PELTOLA: Have no designation.

MR. CHAIRMAN: No designation?

MR. COFFING: I think -- yeah. I think one should identify how you want to prioritize these that have backlogged, and hopefully when we're done here, each one of these is going to have a priority number; that is, this group of seven is going to be priority one, then we're going to have, you know, two, three, whatever. And then once we've done that, we can go in and discuss what the current C&T determinations are for each species in Unit 18.

And then if the council, you know, would like to make some proposals whenever you get to that point in your meeting agenda, I think we can identify them, and then later on in your meeting we can start to develop some proposals to deal with it.

MR. PELTOLA: For instance, furbears don't have any designation, huh?

MR. COFFING: Furbears do have.

MR. PELTOLA: They do?

MR. COFFING: Yeah, they do have.

Wolf does, most of the furbears don't have, ptarmigan doesn't, grouse doesn't, wolverine doesn't, lynx doesn't, rabbits don't, fox don't, coyotes don't. Most of them -- a lot of smaller animals --

MR. PELTOLA: I think we should have a workshop at a future meeting specifically on that, because I think it's important.

MR. CHAIRMAN: Mike and the rest of you board have a meeting with the people from up north area. When they have recognized their customary and traditional use in front of the board at Anchorage, there are a whole bunch of -- you know, everything, everything that has been used for customary and traditional use. That's what I'm going after, instead of picking this and picking that.

MR. PELTOLA: That's why I think we ought to have a workshop and go through the whole spectrum of the resources that we customary and traditionally harvest. That's what you're saying,

yeah. Have a workshop just on that, to arrive at that list, the whole kit-and-caboodle.

MR. CHAIRMAN: This is where we're all concluding all furbears for -- on this priority C&T list without exclusion.

MR. MANUMIK: Was your request for the next meeting?

MR. PELTOLA: We've got a full agenda for the next two days, but I think we need to arrive at that list Harry's talking about. It needs a comprehensive workshop specific to that subject to arrive at a determination of everything that we and our people have used customary and traditional, yet designated as -- got a C&T designation, including edible plants.

MR. CHAIRMAN: Mike.

MR. COFFING: I'd just like to offer a comment. I think where Gene is going and where you're going are the right direction to go. One thing I'm concerned about is that without identifying what your -- for the region what primary issues are and then working from the issues to get to your species, to get to your C&T determinations, that if this council would write up, let's say -- I don't know how many species we have that don't have a determination, but let's say 15, and write 15 proposals for C&T use, I can tell you that I'm not going to be able to do analysis on all of them, so I'm still going to need -- some of them are going to be done later.

So I think it's real useful for the council to identify there are some that you want to work on, but realize that maybe we can't do them all this year.

MR. PELTOLA: But that can be established at the workshop.

MR. COFFING: That's right.

MR. PELTOLA: That criteria can be established at the workshop.

MR. COFFING: Uh-huh. I just don't want to get everybody's expectations up that I'm going to be able to do analysis on everything you put in front of me and then disappoint people, because it's -- I'm probably not going to be able to do it.

MR. BRELSFORD: Mr. Chairman, thank you. A small point on scheduling, Gene. Proposals that would go before the board in April of this year actually have to be in by October 27th, so possibly the decisions that you make right now would govern the C&T proposals ending up in front of the board in April.

MR. PELTOLA: The only decision we made right now is on black bear.

MR. BRELSFORD: Actually I thought the moose proposal was the first priority and black bear would be second.

MR. PELTOLA: Yes.

MR. BRELSFORD: So a workshop for a future date probably would involve board decisions --

MR. PELTOLA: Down the line, yes.

MR. BRELSFORD: -- in a subsequent year.

MR. PELTOLA: I'm aware of that.

MR. NICOLAI: Mr. Chairman, ideally it would be better if we prioritize brown bear and black bear same ways as others. I've been reading a lot in the magazines and from the sportsman guides. There's so many poachers now in Alaska which are going after the casters in their lakes and whatnot. I just find out that, from reading that -- what the sports guides have highlighted on hunting in

Alaska, there's so many poachers now on brown bear and black bear, if we didn't prioritize as a traditional -- for traditional food, that it might happen like it did in Russia and now.

In Russia, there's -- I have read in the magazine that a lot of brown bear are pretty well wiped out over there. There's so many poachers going after those casters and other stuff. I think we should prioritize them now so that they wouldn't be wiped out as it happened in Russia area. Thank you.

MR. CHAIRMAN: Anything else on that certain item?

MR. COFFING: Mr. Chairman, at the risk of being repetitive again, I guess I'm still going to keep pressing for you to help me prioritize what you have left on here so that I can do the ones that this council feels are of significant importance.

MR. PELTOLA: Based on what has been said from Moses and everything, it would be moose, bear and caribou, I guess. That's all I've got left here, and marmot.

MR. NICOLAI: Back when we had a joint group meeting, I pointed it out to the rest of the joint group when we had a meeting, I told them one time that I never liked this brown bear no determination on both the Federal side. Now, I once told them that might bound to have it pop up in future year; now it's popping up. There's so many poachers going on, if you -- a lot of you read a lot about sports hunters and whatnot, that you'd be surprised that -- I really was ashamed what happened to the brown bears, that there were so many poachers going on. I'm afraid it might happen like here in Alaska, too, because it's a traditional food.

MR. CHAIRMAN: So I still don't quite understand. You want priorities of this certain page here, that's what you're looking at are now?

MR. COFFING: That's right, Mr. Chairman, and so far the direction from the council has been that C&T use eligibility of all Unit 18 residents and for Unit 21E, moose is priority one. That's the first seven. Black bear is priority two, including the proposal that the council will submit. Brown bear, priority three, the proposal from Akiachak/Akiak.

MR. ANDREW: Mr. Chairman, Mike is requesting right now that the C&T proposals be prioritized. He's requesting -- you have already prioritized one through seven, and second priority be the black bear, designating that as a customary and traditional use resource for the whole region. He is requesting that you specify moose as priority, with black bear as a second priority and the brown bears as another priority. He's indicating that which ones, the order of priority, would be helpful.

MR. CHAIRMAN: I would like to ask you a question. If moose was a priority, if moose hunters -- moose hunters often hunt caribou when it is available. Is it going to be included in this priority for moose?

MR. ANVIL: I would like to prioritize the moose in addition to the caribou as a second priority. A lot of times moose hunters harvest caribou when it is available and the moose is not -- I think it is critical that caribou follow moose as a priority, and I would like those two to be prioritized in order.

MR. PELTOLA: No problem. I've got no problem with what he said, moose, caribou and then bear.

MR. CHAIRMAN: Moose is number one priority and Gene indicated it is okay to have caribou as the second priority, the

black bear is a third priority and then brown bear.

MR. PELTOLA: You want a formal motion?

MR. CHAIRMAN: I guess we had a motion already, so --

MR. NICOLAI: If it's best we second it, I'll second it.

MR. CHAIRMAN: I just make recommendation. I didn't make motion.

MR. PELTOLA: Mr. Chairman, I move that -- that after the prioritization of 21E, moose, the rest would be prioritized to include caribou, black bear, brown bear and marmot, in that order.

MR. CHAIRMAN: There's a motion on the floor to second priority caribou, brown bear, black bear and -- black bear, brown bear.

MR. ANVIL: Second.

MR. CHAIRMAN: Seconded by Antone Anvil. Discussion?

(No response)

MR. CHAIRMAN: Question has been called. All in favor say aye.

IN UNISON: Aye.

MR. CHAIRMAN: Opposed, say no.

(No response)

MR. CHAIRMAN: Motion carried.

Remember that the other page, other side, is -- it says October 4; however, we still have some more we're going to talk about on today's meeting tomorrow, so I think at this time that we continue until 5:00, but on new business continue what this is.

MR. PELTOLA: That's already been tabled.

MR. CHAIRMAN: It's been tabled? Okay. Let's go down to the subpart D proposal, change methods and means, seasons and harvest limits.

MR. COFFING: Mr. Chairman, if you allow me to interrupt for a minute, back on the first page, item F, we never covered item F, so if you'd like to do that -- that's still on the C&T. If you'd like to do that before you get on to subpart D, this might be an appropriate time to cover that.

I don't know whether -- you know, I think what I want to do is either pass around some regulation books that you have, existing C&Ts in front of you, or if you want to take a break, I'll up go and bring copies of kind of a summary table here to pass out. But either way I think the use of --

MR. CHAIRMAN: Yeah, let's have a ten-minute break.

(A recess was taken)

MR. CHAIRMAN: We have been dropped one item on our agenda, F, down in new business, council review of existing C&T in Unit 18. Mike.

MR. COFFING: Yeah, thank you, Mr. Chairman. I passed out these Federal regulation books to each of the council members and there's some more over on the table here if anyone in the audience would like to get a copy of it. And I would like to direct the council to page 97. It's going to look like this in your regulation booklets here.

And I think the purpose of this exercise is just basically to kind of step through each one so that the council is aware of what the existing C&T determinations are for Unit 18 here. I'll go through them quickly and then we can -- I think I'll stop after each one if you want to discuss any or if you just want to move

on to the next one.

The very first one listed is black bear and you talked about that. You can see that there's no determination for subsistence of black bear. That doesn't mean it doesn't occur. It just means the board hasn't formally recognized customary and traditional eligibility use determinations for black bear in Unit 18.

Okay? It sounds like we have at least now maybe two proposals, one from Kwethluk and one from the council here that will address that. And one also from Akiak/Akiachak.

The second one listed here is for brown bear, and you can see that currently those residents that are eligible to hunt subsistence for brown bear in Unit 18 are only those residents of Akiachak, Akiak, Eek, Goodnews Bay, Kwethluk, Mountain Village, Napaskiak, Platinum, Quinhagak, St. Marys and Tuluksak. And I believe this is essentially the same determination from the old State finding.

Obviously there is a lot more use of brown bear by villages that aren't listed here in Unit 18, but that's what the current eligibility determination is.

MR. ANVIL: Mike?

MR. COFFING: Uh-huh.

MR. ANVIL: How come Bethel is never mentioned on villages? It's always no Bethel. We can hunt any time we want, right?

MR. COFFING: Mr. Chairman, there are some that Bethel is listed on. We'll get to some of those on the next page.

But essentially for many of the determinations that you currently have, not all of them, but for many of them, many were adopted verbatim from what the State had when the State had authority over management of subsistence on Federal lands. And it seems to me that when I was before the Board of Game and they would take up a proposal, say, for -- maybe a proposal from Kwethluk, what Kwethluk subsistence shoots, the board tended to deal with providing for -- or recognizing subsistence use of villages that came in and requested it. And boards changed depending on who was on the board, but in general they added villages as villages came in and asked to be added, and if a village did not formally come in and request to be added, they weren't added.

That's why you'll see that there's several communities that probably do have traditional subsistence uses, but currently aren't listed. And I think as this council gets into developing proposals, the villages, the village council, the joint groups, the public, that you're going to see these begin to change.

The second page -- I'm sorry. Page 98 essentially begins with caribou on the left column there, and there are actually two ways that there are customary and traditional use of caribou listed. One is by a herd, and that's typically the way the State used to do it, in some instances still does, still has findings like this. So we do have a finding here for those residents that have -- they're eligible for customary and traditional use of the Kilbuck caribou herd.

Now, this list of villages essentially is what came out of the Kilbuck caribou planning group and through AVCP when they were first recommending a State and a Federal hunt. Back several years ago they listed the communities they wanted to have listed in there, and that is where this list came from. So currently only

residents of these communities are eligible to hunt Kilbuck caribou under the Federal regulations.

MR. PELTOLA: But last year wasn't there an emergency order opening up 18 Federal lands commensurate with the State?

MR. COFFING: There was not a Federal emergency opening, there was a State emergency opening, and that opening was for -- essentially to provide a harvest of Mulchatna.

MR. PELTOLA: Mulchatna animals.

MR. COFFING: So that's why anybody could hunt. It wasn't for Kilbuck only, it was for Mulchatna as well.

MR. PELTOLA: A lot of hunting on Federal property.

MR. COFFING: And it could because -- since the Mulchatna herd isn't mentioned here, it's assumed that everybody is eligible for that.

Another area that recently had a determination made and expanded a bit this last spring board meeting was for caribou north of Yukon River. Now, this isn't for a particular herd. It's not for a western Arctic herd, it's not for the Andreafsky herd, it's for caribou. It doesn't matter what herd you're from. It's for any caribou north of Yukon River.

And you can read there the list of villages. Andreafsky, which is misspelled, Alakanuk, Chevak, Emmonak, Hooper Bay, Kotlik, Kwethluk, Marshall, Mountain Village, Pilot Station, Pitka's Point, Russian Mission, St. Marys, St. Michael, Scammon, Sheldon Point and Stebbins currently are the only villages that have customary and traditional use of caribou north of Yukon River.

Kwethluk is listed and it might -- you might wonder why Kwethluk is listed there since it's so far away from the community. We talked about this before, but just kind of a brief refresher here, initially when the Federal government took over management of subsistence on Federal public lands, Kwethluk was the only community that had any C&T use of caribou anywhere in Unit 18, and they had it for all of Unit 18. So as other villages have been added, Kwethluk's name has remained in there and Kwethluk currently still does have C&T use of Unit -- of caribou north of Yukon River. So it's not an error, it's there, but they were first.

And for any other area of Unit 18, it is the remainder of any other parts of Unit 18, except the Kilbuck herd, residents of Kwethluk currently are the only ones that have C&T use.

So I guess to ask ourselves what does that mean, what that means is for caribou south of Yukon River that aren't Kilbuck animals, only Kwethluk has C&T use currently. And that's just -- that's just because the way it fell out here. Okay?

Okay. I might also remind you that -- let's see here, there is no season for -- there is no Federal open season for caribou south of Yukon River that are not Kilbuck animals, either. So that determination essentially doesn't mean anything because there's no Federal season to provide for any harvest opportunity there.

MR. PELTOLA: What happens if the State by emergency order opens up 18 to Mulchatna animals?

MR. COFFING: It's open to everybody, including Federal lands are open.

MR. PELTOLA: Including Federal lands?

MR. COFFING: If the State EOs an opening from Mulchatna south of Yukon, then Federal lands are open.

MR. PELTOLA: By virtue of the fact it doesn't address

it?

MR. COFFING: That's right.

Moving down to moose, currently residents of Unit 18, all residents of Unit 18 and residents of upper Kalskag are eligible -- have customary and traditional use eligibility for Unit 18 moose.

Upper Kalskag is listed because it's in, obviously, Unit 19. There are probably other communities that use -- Aniak and Kwethluk, from my limited knowledge, probably have hunted moose in Unit 18; they're not listed here. I don't know whether there would be any interest to change that or not, but just to bring that to the attention of the council.

One other perhaps fluke in this is that lower Kalskag -- the regulations aren't real clear whether lower Kalskag is in either Unit 18 or Unit 19. I think we're operating under the assumption that it's in Unit 18, but -- and I think that's why it's not listed here, but I think maybe we need some clarification on that and we might need to make some adjustments for that.

I also want to mention that under the current Federal regulations, that Federal lands in Unit 18 are closed to moose hunting to people that are not residents of Unit 18. Okay? And that's the footnote on the -- on page 99, over here. You see that public lands in Unit 18 are closed to the hunting of moose, except by residents of Unit 18 and upper Kalskag. So that's the subsistence part of it.

MR. PELTOLA: That's why Morgan was probably (indiscernible).

MR. COFFING: Yes.

MR. ANVIL: That includes that portage to, you know, (indiscernible) Kalskag.

MR. PELTOLA: Actually, the boundary's between the Kalskags. That's why upper Kalskag is mentioned.

MR. COFFING: The regulations say to lower Kalskag. It doesn't say to the upper end or lower end.

MR. PELTOLA: But it's interpreted to be inclusive of lower Kalskag. I think that's why they include upper Kalskag in this.

MR. COFFING: I think that's a good assumption, but, again, this applies only to Federal land and it doesn't apply to village corporation land or State land or native allotment, only Federal public lands.

MR. PELTOLA: How do the feds determine the upper boundaries of -- we went through this, remember, when the Mulchatna animals came, there's (indiscernible).

Whitefish Lake, anything draining into Whitefish Lake, was 19. Anything draining into -- Moses says 18, but came down and included up lower Kalskag was 19.

MR. COFFING: I think that -- and maybe Denny can help me here, Randy's gone, but, Denny, do you know that there's been a game management sign put up? I think Randy put one up a couple years ago and then maybe again this fall.

MR. STROM: Yeah, I think Randy put one up, or he has in the past put it up at the boundary.

MR. PELTOLA: Kuskokwim River?

MR. STROM: Kuskokwim River.

MR. PELTOLA: Where is it?

MR. STROM: I don't know. He's done something because

of the public confusion.

MR. COFFING: I personally would benefit from having a better understanding of where the boundaries are out there. It's pretty vague.

MR. STROM: There was a discussion this fall again where they will be.

MR. PELTOLA: There was quite a discussion, what, six years ago, seven years ago, when the Mulchatna animals came into that Whitefish Lake area.

MR. COFFING: About '88 that happened.

MR. PELTOLA: Unit 19 you could take them and 18 you couldn't, and we even took a map at that time and drew the line.

MR. STROM: Try to separate out where the drainages went.

MR. COFFING: Yeah, it's tough.

MR. STROM: When you tend to get west of Whitefish Lake, it's near impossible.

MR. COFFING: Musk ox, there has been a determination and this was adopted from the State filing, that there is no subsistence of musk ox.

MR. PELTOLA: Since they were introduced?

MR. COFFING: Yes. I mean, Nelson Island obviously hunts musk ox and Mekoryuk people hunt musk ox. There is use.

MR. PELTOLA: I know, but why a determination of no subsistence, because they were an introduced species, or why?

MR. COFFING: Yeah. I think -- this was pulled in from what the State had found and I think --

MR. PELTOLA: Even subsistence use historically has been a permit process.

MR. COFFING: I think the State made the finding no subsistence because musk ox were not traditionally in that area. They were an introduced species. They weren't indigenous to the Yukon Delta.

There are determinations of subsistence uses in Kaktovik, for example, where there were traditionally musk ox around, indigenous.

MR. CHAIRMAN: How about if we give musk ox penalty tearing up our land allotments in our villages and then --

MR. PELTOLA: The penalty is death?

MR. COFFING: You need to defend your life and property against musk ox.

MR. PELTOLA: By firing squad.

MR. DAVID: Mr. Chairman, Mike, what about the musk ox down in Nunivak Island?

MR. PELTOLA: They were introduced, transplanted there.

MR. COFFING: So although people -- you know, people in the Nelson Island region and Nunivak do hunt musk ox, they are an introduced species. Apparently the determination is that that is not a subsistence species. I'm not saying that you guys support that or we ought to change it. I'm just saying that's the way it is now.

There are several that there has been no determination made, coyote, Arctic fox, red fox, snowshoe and tundra hare, lynx, wolverine, grouse, ptarmigan, beaver. And then some under trapping, beaver, coyote again, all the fox, lynx, marten, mink, weasel, muskrat, otter and wolverine, there is no determination about

subsistence use, so currently there's -- it's open to everybody, all rural residents there.

There is a determination for wolves, however, under both the hunting and trapping regulations, and some of this might have been adopted from the State findings. I recall, I think a couple years ago, there was a proposal -- the proposal dealt with bag limits, excuse me.

So currently wolf is basically the only one, and you can see that currently in Unit 18, for wolves in Unit 18, residents of Unit 6, Unit 9, Unit 10, 11, 12, 13 and then 16 through 26 all have customary and traditional use of wolf in Unit 18.

MR. PELTOLA: How's that?

MR. COFFING: Well, probably that was adopted -- it was adopted that way for many units of the State when the board just took wolf and they dealt with it for many units where there was no finding.

MR. BRELSFORD: I think what happened was the board motion said for all of these units residents will have C&T for wolf.

MR. PELTOLA: So 18 residents can hunt, has C&T status, and 6, 9, 10, 11, 12, 13?

MR. BRELSFORD: If we look at the other units, I think that is the case. I think what happened is the board intended that residents in all of these units would have C&T in their home unit, but the motion came out saying that they had C&T in all of those units, that all the residents had C&T collectively in all of the units, even though it -- I mean, it seemed silly, but that's the way the finding came out.

MR. PELTOLA: That should be corrected, though.

MR. BRELSFORD: There were some findings on the Kenai Peninsula, where we -- George and I looked it up in the board transcripts and that's what had occurred. There were -- North Slope residents had C&T on ptarmigan on the Kenai Peninsula and we couldn't figure out how it happened, and that was the explanation we came up with.

MR. PELTOLA: That can be corrected, though, can't it?

MR. BRELSFORD: That's correct.

MR. COFFING: So, Gene, I just looked back at Unit 26. For C&T use in Unit 26, it reads exactly this way as well, so --

MR. BRELSFORD: I think the same motion went to all the units, wrongly.

MR. COFFING: I think that covers kind of what the current customary and traditional use eligibility determinations for these species in Unit 18 are, anyway.

Now, there are other units where residents of Unit 18 have C&T uses. There are C&T uses in portions of 21, Russian Mission, for example, Unit 19 and Unit 17. If you'd like to go through those, we could. I just want to be sure we cover Unit 18.

MR. CHAIRMAN: Gene.

MR. PELTOLA: Mr. Chairman, I still recommend that at our next meeting we evaluate the C&T usage of all these species independently and then be able to -- I mean, like grouse, ptarmigan and stuff, it's real obvious that everybody has a customary and traditional use out here, but I think that should be designated in the regulations, kind of a workshop specifically for C&T designation of the non-designated species.

MR. CHAIRMAN: John, would you make a note on that?

MR. PELTOLA: Put it on the next agenda.

MR. CHAIRMAN: Any more on existing customary and traditional use?

MR. COFFING: No. Thank you.

MR. CHAIRMAN: If it's not --

MR. PELTOLA: I've got one question, Mr. Chairman. I just want to clarify that again. By the emergency order, EO here, 5-2-95, effective 12 a.m., October 1, 1995, caribou is open in 18, that portion south of the Yukon River, for a limit of two caribou, and since it's not addressed in the Federal regs, subsistence regs, you can hunt on Federal property, true?

MR. COFFING: Yeah, let me step back and look at this so I can answer you.

That's right. That's right.

MR. BRELSFORD: Gene --

MR. COFFING: Except --

MR. PELTOLA: Except what?

MR. COFFING: Well, technically Kilbuck animals would not be open on Federal land except during the Federal Kilbuck hunt in the wintertime by permit. But this is basically to provide Mulchatna animals --

MR. PELTOLA: And how do you determine a Kilbuck animal from a Mulchatna animal, other than a genetic study?

MR. COFFING: You can't. So, in essence, Federal public lands --

MR. PELTOLA: This doesn't say Mulchatna or anything. It just says caribou.

MR. BRELSFORD: Gene, I was going to make the more general point that State regulations apply on Federal lands unless those Federal lands are specifically closed to non-Federally qualified subsistence users. So the example of moose in Unit 18 is where the board found that there were not enough animals --

MR. PELTOLA: Restricted.

MR. BRELSFORD: -- for all users and it's restricted to only Federally qualified users.

For the other species, Federal lands would not be closed to a person hunting under State regulations, and that's the regulation statewide. So this State season is open and available on Federal lands in Unit 18, the Mulchatna season, the emergency order season, because the Federal board has never acted to close Federal lands regarding caribou.

MR. COFFING: That's right, and maybe to help as well, if there was a Federal season, Gene, let's say in Unit 18, that portion south of Yukon River, if there was a Federal season, it was different, and when the Federal season closed, then Federal lands would be closed. If the State season went longer, those Federal lands would be closed --

MR. BOS: If Federal regulations specified, then it would be closed when the Federal season ended.

Anyway, the main answer to your question is that the Federal lands are open for that caribou season, are open.

MR. CHAIRMAN: Any more on this certain item on the agenda?

MR. GUY: Mr. Chairman, I thank you. Phillip Guy with Kwethluk Inc. Joint Group.

I would like for the Federal subsistence council to be

aware that the Kwethluk Joint Group has been having a continuing concern regarding the Aleut caribou herd since the Mulchatna herd members have been coming into the area, especially last winter when there was some extensive hunting going on. The Aleut caribou herd are in a way protected, we want them to grow, and the core area itself has been small from the beginning, even when we have felt that it was such and we wanted enlarged. Please keep these concerns in mind.

MR. CHAIRMAN: Any response from Federal/State to Phil?

(No response)

MR. CHAIRMAN: If it's not, I think we're going to be in recess until 8:00 tomorrow, but I want you to know this tomorrow meeting place, Yugtarvik Museum, and I would like to have someone to contact AVCP because we're going to start with Kilbuck Herd Management Plan, have to be -- work with AVCP, and Western Alaska Brown Bear Management, AVCP north refuge and also open to the public comment on Federal subsistence program. And from there we will pick up subpart D, proposal change method and means, season and harvest limit, and then down all the way.

So right now we're going to break until about eight a.m. in the morning.

(Proceedings recessed at 4:30 p.m.)

MR. CHAIRMAN: This morning we're going to start the continuation of the new business, subpart D, proposals.

MR. COFFING: Thank you, Mr. Chairman, I'll take this one again.

I'd like to direct the council's and the people that are here attention to again a yellow instruction sheet that's on the back table and in the council workbook, as well as a sample of a seasons and harvest limit proposal. If it's not in your council book, there are some on the table in the back. This is an example of a proposal that one might submit to change what's referred to by bureaucrats as subpart D. Essentially that's part of the regulations pertaining to seasons and bag limits, methods and means.

So this is probably the type of proposal that most of you are familiar with. If you put in a proposal to the Board of Game, Alaska Board of Fisheries to change harvest seasons, bag limits and this sort of thing, it's very similar. I think much of it is, you know, self-explanatory, and some of what I mentioned yesterday in regards to what's useful for putting on a proposal for C&T, customary and traditional use, also applies to harvest season and bag limits.

Essentially, the more complete the information you can put on, on the proposal form, so that it's understandable to staff that would be analyzing it, to other councils that might be reviewing it, other members of the public that might want to comment on it, the more clear and precise your proposal can be, the better off it will be, the more better understood it will be.

I don't really know what -- you know, how much detail to go into here, and I think maybe the example that each of you have is probably the best thing to look at. And I think as we go through -- as we get to the point on the agenda where we're actually going to be developing some proposals, then we can step through each one of these and try to get as much detail as possible.

And there might be some areas in the proposal where you don't have a lot of information, but I guess the point is to be

as complete as possible, indicate what regulation it is you want to change or you want to add to, what geographic area you want to have a proposal affect, the regulation affect, what the problem is, what the problem is you're trying to address and how you would like the new regulation to read in the regulation book.

I think I'll just stop with that. I don't think I'll go any further in describing what to do. As we get to that point of the agenda where we get our hands into it, we can kind of learn it as we do it. I think that's all I'm going to say on that, Mr. Chairman.

MR. CHAIRMAN: I think before we start going, I would like to introduce one of our Lower Yukon Moose Management Committee member. Will you introduce yourself?

MR. SHEPPARD: My name is Stan Sheppard, Mountain Village.

MR. CHAIRMAN: Thanks. You are taking the whole thing, number two, regulations and all that concerning changes, methods and means? You take that whole thing?

MR. COFFING: Well, I'm not sure what -- maybe the coordinator can help me out there. Are you referring to this?

Okay. There is in your packet a flowchart, kind of showing the --

(Off record discussion)

MR. COFFING: Okay. Taylor just told me that that part of the agenda refers to this flowchart that's in the booklet. That looks like this, and this essentially tells you what the time lines are for getting proposals in and what each step is and the dates, kind of the deadlines associated with each step of the proposal as the proposal moves from the initial submission to a -- to be reviewed by the council, by the staff committee, Federal Subsistence Board.

The regulatory year goes from July 1 through to the end of June, okay, and the place that we're at now in this flowchart is approximately right here, down on the bottom left side. And you can see that now we're in the regional council meeting phase. The comment period below that is going to end October 27th. And from there you can follow the arrows and kind of see how -- what the process is for proposals. The proposal moves on through to its end, potentially if it is adopted by the board, to a final regulation in the far right bottom.

I think that concludes it, Mr. Chairman.

MR. CHAIRMAN: Okay. Go down to --

MR. DAVID: Mr. Chairman, these proposals, if we work on these proposals in regards to the subsistence after review, does it go directly to the subsistence board? I think he's referring to the Federal Subsistence Board.

MR. COFFING: Mr. Chairman, Mr. David, the proposals that council develops related to subsistence all go into Anchorage and are all compiled with all other proposals for this region by -- by everybody, from the public, from the State and anybody else. And then those proposals are looked at, staff pulls together information that is useful in addressing the proposal. That information is then compiled into a booklet, kind of a proposal analysis booklet that then will be available to the public and to the council prior to or at least at the council's next meeting in probably January or so.

And then from there on, at that meeting the council will review all -- this council will review all proposals, including

its own, that deal with this region, make a recommendation to the subsistence board, and then in April the subsistence board will look at them and take action on them.

MR. DAVID: And if it's dealing with commercial, it goes to -- if it deals with commercial fishing, it goes to the fish board?

MR. COFFING: Mr. Chairman, Mr. David, that's correct.

The process that's open now, the proposal submission process that is open, is for subsistence on Federal public lands only. So anything this council might want to generate in terms of proposals related to commercial fishing should probably be submitted to the office of fisheries.

MR. DAVID: Thank you.

MR. CHAIRMAN: Mike, I wonder if there's possibility that you could tell us certainties there's -- make proposal certainties, review and all that stuff. You know, they're written on a certain schedule of time, these things to be known by these people here.

MR. COFFING: Okay. Certainly I will, and most of that is on this flowchart and I'll go and hit the high points so everybody can hear it.

The deadline for getting proposals in to the Federal subsistence program here is October 27th, this fall, this month, in about -- in about three weeks or so. So October 27th is the deadline.

Proposals need to be -- you know, you can submit them to John if you'd like, they can go into Anchorage there and they also can be faxed in. Faxed proposals that are received by that deadline are considered, you know, in on time. So it doesn't have to be an original in the mail, it can be a fax proposal.

So the 27th is the deadline. Up through approximately the 12th of January, then, that's essentially the time the staff -- from the 27th of October until about the 12th of January, during that period of time is when the staff, John Andrew, myself, Dave Fisher and similar staff for other regions will be looking at the proposals and pulling together all the information we can find that relate to it. And during that time we might be contacting some of you to help us, help us maybe pull together information, traditional knowledge as an example of some of that.

Then on the -- let's see, beginning on the -- on the 17th of November, then, the proposals that have been submitted -- each individual proposal, without any analysis, but each individual proposal will be compiled in a booklet, so it will be very similar to -- most of you are familiar with the proposal booklet you get from the Board of Game or Board of Fisheries that have all the proposals in them. It will be something very similar to that. Not only for your region, but for every place that have been submitted to the Federal program. So you will see proposals potentially for Unit 21, Unit 19, North Slope, Bristol Bay, the entire state. You will see all of them.

MR. CHAIRMAN: Do (indiscernible)?

MR. COFFING: That was for last year, I believe.

Right?

MR. CHAIRMAN: Yeah, these are for the last year, but we don't -- but public don't get these, that's the only one problem.

It was never distributed out. I think it will be good if some of

this boards, like some corporation or city have something -- we have something like that, you know. It will help public to review more proposals.

MR. COFFING: Mr. Chairman, that proposal book is sent out through -- and I don't know the number, but a lot of them are mailed out throughout the state. And if each of you as individuals, or anyone else that's here, know of village corporations or IRA traditional councils or people that need to have them, maybe you could provide names and addresses to maybe me or John and we'd be happy to pass those on so we get those people on the mailing list to get the proposals to them.

So the book has come out with all the proposals, and during that -- after those come out, there is a period where the public can essentially look at them and provide comments on them. And, you know, the public can look at the proposals, can write down their comments and can send their comments into Anchorage. And that way, when your council meets, any comment that's been sent in from the public related to a proposal can be in the -- in your council booklet and you will be able to see what type of comments the public might have on any proposals you might be reviewing at your next council meeting.

So at your next council meeting you will have in front of you a booklet that has the proposals in it, and along with the proposals for your region, you will have any comments or recommendations or anything from anyone that has sent any in, including the State or any individual or any agency.

Regional council meetings are scheduled to begin approximately, it looks like here on this schedule, the 29th of January through approximately the first part of March. So during that, it looks like nearly a month here, regional councils throughout the state will be scheduling their meetings and will be having meetings to review proposals, so you can comment on any proposal you wish to.

After the councils have met and have taken action on proposals, their recommendations, with council actions, go to a staff committee. And then on -- it looks like between April 4th -- April 1st and April 5th, that's when the Federal Subsistence Board will be meeting. And it's at that meeting that the board will be taking action on any of the proposals from all the regional councils or have been involved with all the regional councils.

So I think the important deadlines to recall, to remember here, are October 27th, that's the proposal deadline, and then along in late November, you should expect to see a proposal booklet that has all the proposals in it. It should be sent to you so you have a chance to look at them all. You'll be having a council meeting some time probably in late January or February.

So you should think about those times as critical times to, you know, plan your meetings and be, then, involved in the proposal process. And then again in early April is when the Federal board will be meeting to take action on those proposals.

That will do it.

MR. CHAIRMAN: Okay. Thank you. On your subpart D, proposal items under new business, on the item three, open the floor to subpart D proposals, how do you deal with it? Mike, will you elaborate on that, open floor to sub D, proposals, how do you handle it?

MR. COFFING: Yeah, Mr. Chairman, I think what that is intended to provide is an opportunity for anyone that's here to -- you know, to make suggestions on what proposals they would like to submit and make the council aware of those, and if anyone is here that needs some assistance drafting one, then staff will look at it.

MR. CHAIRMAN: I think at this time that -- just yesterday that we clear Kwethluk Joint Group and city council and joint group, they got some resolution. I think I'm going to give them opportunity at this time to present. We got James Berlin, Jr., here, that he come in place of Greg Roczicka from AVCP. So I think Kwethluk Joint Group, you can come over here.

MR. BERLIN: Good morning. Greg Roczicka was not able to make it to the meeting here because he had to go to a funeral up in Kwethluk. My baby got sick yesterday and I was not able to come in. I will just do a little catch up on items listed on here.

Agenda number C, Kilbuck management planning group, Greg said that they have not met since Mulchatna herd has come around. They're still waiting to see what comes of that herd. They haven't set a date for a meeting for the Kilbuck caribou herd.

And then on the Western Alaska Brown Bear Management Working Group, he gave me a little letter so that -- this is the latest management working group agreement for western Alaska brown bear. It's signed by David Allen, Myron Naneng, Phil Guy, Stan Sheppard, Frank Rue, and the latest signature from Dave Allen, Fish & Wildlife director for Alaska region.

I'm going to read through this, and this is what Greg gave me. And my specialty is in waterfowl and stuff, and I haven't been really able to keep up with what he's done, but I'll read through this and give you guys a copy.

"It is hereby agreed that the Western Alaska Brown Bear Working Group, consisting of area tribal councils, Association of Village Council Presidents, U.S. Fish & Wildlife Service and the Alaska Department of Fish & Game, will cooperate to protect, manage and conserve the brown bear resources in the western Alaska brown bear management working area.

"All parties to the maximum practical extent will strive to contribute and integrate traditional and technical information to form a common and fuller understanding of this species in efforts to provide more complete and accurate management data to the Federal Subsistence Regional Advisory Council, Federal Subsistence Board, Alaska Board of Game, local fish and game advisory committees, AVCP villages, tribes and the public to help perpetuate this important resource.

"All parties will keep each other fully informed concerning brown bear information gained and meet regularly to discuss current concerns and activities.

"For the present, the western brown bear management working group will serve as a guiding body concerning research and then management activities in the area. It is the intent of the parties to develop through this working group a formal agreement to guide future conservation, management in research decisions regarding brown bear in western Alaska management area.

"Data-gathering efforts will consider traditional views as well as technical wildlife science and management needs, ongoing activities and legal requirements imposed by the regulatory bodies, such as Alaska Board of Game and Federal Subsistence Board.

To the maximum extent practicable, data-gathering efforts and methods will be consistent with the needs, beliefs and traditions of local subsistence culture and will be developed through the cooperative co-management process. This agreement is voluntary and binding only to the extent of common goals, needs and resource management actions."

And the latest signature on this is from Dave Allen and the earliest signature was made by Myron. Myron's signature was signed June 12th of '95 and Dave Allen's was signed on July 10, '95.

And he also had mentioned that John Coe's (ph) report was -- he was waiting for John Coe's report. That guy with the gray beard that was here last year.

MR. PELTOLA: He's an AVCP consultant?

MR. BERLIN: I believe he was doing most of the scientific research for --

MR. PELTOLA: AVCP.

MR. STROM: Dennis Strom, U.S. Fish & Wildlife Service, Bethel.

The latest developments on that -- the working group for the brown bear is a committee that was appointed by Chairman Phil Guy and Co-chair Stan Sheppard, put together a goals and objects paper that was distributed at a meeting last May right after the fish board, and the group has not gotten back together now. That was to go out to all the villages, discuss it, and then we'll come back at the next meeting some time this fall, I think, or early winter and try to come up with a management plan.

MR. DENTON: Mr. Chairman, my name is Jeff Denton. I'm with the Anchorage district of the Bureau of Land Management.

And the question that I raise with this working group, because BLM has several million acres within the western brown bear management unit, that we have not been involved whatsoever in this working group, and I think we have a great deal at stake from the bear resource standpoint and a subsistence management standpoint. And I would like some communication back from the group as to why a major segment of public lands, Federal public lands, has not been a part of that.

MR. GEORGE: I would like if we agreed with something, how exactly are they researching the brown bear. And at the Denver National Congress of American Indians Conference, one of -- one of the speakers had mentioned -- mentioned the Yupik people in regards to the brown bear and that they were going to stop. Are they still doing research on these brown bears?

MR. CHAIRMAN: Is there anyone here that can respond?

MR. MORGART: Mr. Chairman, John Morgart, U.S. Fish & Wildlife Service here in the Yukon Delta National Wildlife Refuge.

We are -- at this time we are not doing any additional collaring, marking the bears. We have, let's see, actually have a little handout here I can pass out to the members. Currently there are 27 active radio collars out on bears that we're continuing to monitor. We try and fly these bears twice a month. In the winter months, when the bears are in the dens, we -- do you want to pass those out for us, maybe send those down that side.

And during the winter months, when they're in the dens, we try and fly them once a month. We are able to gather some very valuable information on bear movements, on reproduction of the female bears, on loss of cubs of the female bears, and also hunting

and other mortality losses to the collared bears.

As I said, there is no active collaring or new collaring going on. We are just continuing to monitor, as we agreed, animals that are already collared.

MR. CHAIRMAN: Any more questions? Gene.

MR. PELTOLA: Mr. Chairman, I would move to recommend to the bear management group that BLM be included as a full working member of that group.

MR. CHAIRMAN: Bear management group and BLM, you can work together is recommendation.

MR. ANVIL: Second.

MR. DENTON: Mr. Chairman?

MR. CHAIRMAN: What was your name again?

MR. DENTON: It was Jeff Denton, D-E-N-T-O-N.

MR. GUY: How do you spell it again, please?

MR. DENTON: D-E-N-T-O-N, Denton.

MR. GUY: D, okay. Okay. Mr. Chairman, if the Yukon Delta bear management group were to include BLM, you would be the appointed person?

MR. DENTON: Yes.

MR. GUY: Okay.

MR. PELTOLA: Question.

MR. CHAIRMAN: Question on a motion. The motion was bear management group will work with BLM. That was a motion, and motion was seconded by Antone Anvil, motion was by Gene Peltola, and the question has been called for. All in favor say aye.

IN UNISON: Aye.

MR. CHAIRMAN: Opposed, same sign.

(No response)

MR. CHAIRMAN: Motion carried.

MR. BERLIN: On the next item, Waterfowl Conservation Committee, I was hired last year by AVCP to staff the Waterfowl Conservation Committee and travel to the villages with the WCC board members. And on our last meeting in -- when they had the last meeting, I was down in Oklahoma attending a steel shot training, but they had the last meeting here in Bethel and they rescheduled to have their next meeting in January here in Bethel.

Through the WCC, I've gotten to go to a couple of trainings down in Oklahoma with Tom Roster. He's a well-renowned steel shot expert. And through that training, we've hooked up with Fish & Wildlife and the State to travel to the villages, and successfully have gone to three villages, Chevak, Toksook and Bethel.

Including Bethel, that was the third one. And we're scheduled to go to Marshall next weekend after the convention.

We've had really good turnouts in the villages at these steel shot trainings. We had about 30 participants in Chevak.

And we had a little boy, who is eight years old, come out the last -- who came out last and started kicking, wanting to shoot his gun. So when he wouldn't stop, his uncle gave it to him, and, sure enough, that kid got eight out of eight. He outshot his uncle and everybody else there.

Toksook was another village we went to and we did really good there. We had some skeptical people and they said that steel shot doesn't penetrate and doesn't kill, but after they came to our seminar and they listened to Tom Roster and went through the instructional course, they had about an 87.5 percentage successful

rate of shooting that steel shot.

But on other WCC stuff, we don't have nothing because the next meeting is scheduled for January and we're still in March -- October here. So if you guys don't have any questions, I could move on to the other agenda item that AVCP was supposed to --

MR. GUY: Yeah, Mr. Chairman, just a brief question. What about those declining bird species? I've heard it's -- heard it said eider, otters --

MR. BERLIN: The population level last meeting, at our last quick meeting, there is an increase in populations of cacklers and white-fronts, and there are -- emperor counts are about still the same and brants were also increasing.

I don't know much about the eider situation. Can you guys comment on that?

MR. STROM: Denny Strom, U.S. Fish & Wildlife Service. We've still got problems with respect to the eider. They did find some concentrations of birds this year south of -- through their regulatory work, south of St. Lawrence Island, out on the ice, that they were able to get some indications.

We don't have anything back on blood levels with the work they did on the coast this year on them, but we're still concerned about lead poisoning in the eiders. And they did some extensive survey work out there this spring to see how widespread -- this summer, to see how widespread it was with the birds, and I haven't seen any results on that yet what that came up with.

We've got concerns with the eiders and then we've got concerns, continuing concerns, with the emperor goose. We lost another of -- the population went down about another 5,000 birds last spring. So they're not recovering like the cacklers and white-fronts are.

MR. PELTOLA: What is the estimated population of the chukluk (ph)?

MR. STROM: They went down to about 50,000 birds last spring. That's down from 55,000.

MR. PELTOLA: What is your targeted population level?

MR. STROM: Population level, I have to refer to the plan, but I think it's somewhere up around 80,000. You know, we want to get it up above that, target somewhere around 100.

MR. PELTOLA: What level do we have for the dukanaic (ph)?

MR. STROM: Dukanaic was -- winter population I think was 160,000 birds, right around that, 152,000, and white-fronts was up over 300,000. So we've seen a threefold increase in white-fronts since we started the goose management plan and we've seen about a fivefold increase in cackler since we started the plan and we've seen a decrease in the emperors.

MR. PELTOLA: And nuglanuk (ph).

MR. STROM: The Pacific black brants about -- held about the same, 125, 130,000.

MR. MANUMIK: Mr. Chairman, do you know what the population levels of (indiscernible) were last year? I understand that they were about 5,000 fewer this year than last year.

MR. STROM: Yes. The spring count last year was -- not this spring, but the spring before, was about 55,000. This last spring it was right at about 50,000, continuing to go down. We're real concerned about the emperor.

MR. PELTOLA: Do they have any biological data what's happening and where they're at and things like that?

MR. STROM: They've been working on it at Cold Bay. They've been doing work on family groups, you know, mortality. We've done work on the coast out there on group mortality. There seems to be a high group mortality, but, you know, folks are still shooting them in the spring despite our goose management plan. We're at the point right now where we can't afford to lose any of them.

MR. MORGART: Mr. Chairman, John Morgart, U.S. Fish & Wildlife Service.

You need to expand on that a little bit, on your question. On the wintering grounds on the Aleutian Chain, because the birds are so scattered out across many islands and because of the extremely bad and dangerous conditions out there, it's been extremely hard to do anything on the wintering grounds. There's very little information on the wintering grounds. That's our biggest hope in terms of our lack of knowledge about what's going on.

We do know that a lot of birds, relatively speaking, a lot of birds go in and a lot fewer come out, so there is some pretty extensive mortality that occurs on the wintering grounds. We're not quite sure what or how or what segment of the population or how that occurs.

Also, on this lead shot issue, even though we don't have any of the information back yet on lead levels in birds, we did expand the program, as Denny indicated, so there were bird samples from a much wider portion of the Delta.

And on top of that, we also collected -- whenever we would find a fresh carcass of a dead or a dying bird of anything, we also collected all of those carcasses, and all of those carcasses are going to be examined for lead and other contaminate levels as well so that -- you know, we've got a good indication now that it's a problem with respect to the eiders. Now we're starting to think, well, geez, could it be a bigger problem with other species.

We know for a fact that there aren't as many sea ducks as there once were. Emperors -- you know, that's another possibility for why emperors are declining. Perhaps they're getting some lead poisoning as well, we don't know, but we have expanded that program and hopefully we'll find out a little bit more about that within the next few months.

MR. CHAIRMAN: Gene.

MR. PELTOLA: Do you guys know of any extent of population numbers for emperors or birds that go into the (indiscernible).

MR. MORGART: It's a small portion. Approximately 90 or 95 percent of emperor geese nest on the Y-K Delta, although a few winter on the Russian side of the Bering Sea. The vast majority, 90-plus percent, winter in the Aleutian Chain.

MR. CHAIRMAN: Council members, audience, do you have any more questions towards waterfowl conservation?

MR. WHITE: Mr. Chairman, I have a question, that the region from Eek, the birds that come and nest in our area and they leave in great numbers and I see them myself. They flock together and leave, and a lot of times it seems that they increased, and when they return in the spring, they are few.

Where do those great numbers that left in the fall go that do not return in the spring?

MR. CHAIRMAN: Anyone here to respond to his question?

MR. COFFING: Couldn't hear it.

MR. MORGART: It was real staticy, Mr. Chairman.

Could you repeat the question?

MR. PELTOLA: Basically what he said was he sees large numbers of birds leaving in the fall, and when they return in the spring, there's a lesser amount. Do we know what's happening? He's talking in general about birds.

MR. MORGART: All birds?

MR. BRELSFORD: In the Eek region in particular. He's observed this in the Eek area.

MR. MORGART: Well, there's no real way to distinguish the birds in the Eek region from the rest of the area. It's very true that there's a high source of mortality in all wildlife species over winter. Of course, you've got a lot of young bird that are making the migration for the very first time in their lives, and some of these birds, if it's an emperor goose, may only fly a few hundred miles down to the Aleutian Chain, whereas a brant flies five, six, 7,000 miles down to Mexico.

If -- depending on what has happened to that bird that year, the young birds are the ones that are most susceptible to dying. They're stupider, they're the ones that tend to get shot more by hunters because they're not as bright as the older birds, they haven't lived longer. Also, in the fall, because they're younger and smaller, they haven't built up the fat and energy resources, and if they're about to make a long migration, if they don't have the fat and energy they need to make the entire migration, they'll fall out and die during the winter.

Also, smaller birds may be more susceptible to contaminates and pollution. It may take two or three lead pellets, for example, to kill an adult bird, but it may only take one or two to debilitate or kill a smaller bird. So there's lots of factors like that.

There will always be fewer returning in the spring, though, because there's a lot of winter mortality particularly in young birds.

MR. CHAIRMAN: Any other question?

MR. DAVID: Mr. Chairman?

MR. CHAIRMAN: Yes.

MR. DAVID: The emperors used to be abundant. It was in the recent years that the emperors, a lot of these emperors were killed off by foxes and they have decreased the numbers since then.

The emperors were very rare this spring, and a lot of times they were sighted in the northern area. They're gone, basically.

We also hear that planes have forced the birds to move south and then are in the -- they were seen in some numbers in our area in the spring. Recently I've seen emperors flying with young during the berry picking season, but they're not as abundant as before.

I think the Fish & Wildlife people need to research or keep an eye on their wintering habitat. I have not consumed anything in our area that would be hurtful to the populations of emperors in our area. Although we do hunt them in the spring when they arrive, we take them in limited numbers because we have limited freezing space.

I think if they would -- if they could quit watching

them too closely, they would -- it would be better. Years ago we did not have Fish & Wildlife enforcement people and there was -- a lot of times the Fish & Wildlife bother, even though they don't have wings.

MR. CHAIRMAN: Any more on waterfowl? If it's not, we'll go to the next one, AVCP Inc. National Refuge.

MR. BERLIN: Natural Resource, AVCP Natural Resources.

We just put out our annual report, and I don't have a copy of it, but I'll get a copy of it to you guys. One more thing before I get into that.

MR. NICOLAI: Mr. Chairman?

MR. CHAIRMAN: Yeah.

MR. NICOLAI: At this time I would like to see copies every time they bring it in, letters or whatnot, for the board to look at. We like to see them and have them prepared of everything. Instead of one person, individual one person reading it, we'd like to look at it, copies, so we know exactly what they're talking about.

MR. BERLIN: This is addressed to John Andrew, the subsistence coordinator for the Fish & Wildlife Service here at Yukon Delta. It's coming from Myron Naneng and Greg Roczicka, and it reads: Dear Council Members, following is a prioritized listing and our recommendations for disposition of AVCP's deferred customary and traditional proposals, numbers CO31, CO36, CO38, CO44 and C179, which the regional council and Federal Subsistence Board are scheduled to address this meeting season.

CO36 and C179, add residents of 18 for moose in 21E. This issue carries the highest priority for resolution of any submitted to date for our region. Given that it is one which also calls for primary involvement of the western interior region, as well as the Yukon Delta area, we strongly reassert our recommendations that a joint meeting of these two councils, or at least council members whose areas are most directly affected, meet with area residents to attempt to reach a consensus solution.

As you may recall, efforts were made to organize such a meeting last year, which did not materialize. We maintain that this is the first appropriate step that should be taken to address the issue.

The Lower Yukon Moose Management Committee is currently scheduled to meet in Russian Mission October 26th of '95. We strongly urge and request that appropriate individuals from the western interior and the Yukon Delta subsistence regional councils be designated to attend this meeting as well.

In addition, we are currently organizing a meeting for the second week of December to initiate discussions on potential development of the Kuskokwim moose management agreement. This will provide another opportunity to address the above and similar C&T issues which affect Kuskokwim drainage residents. Again, we vigorously urge/request the participation and involvement of appropriate subsistence regional council members at this meeting.

And that was CO36, C179, I believe, in your customary and traditional use papers, this long one.

MR. PELTOLA: Mr. Chairman, can I respond?

MR. CHAIRMAN: Gene.

MR. PELTOLA: Yesterday at our meeting, when the advisory council reviewed existing C&T proposals, we prioritized the C&T designation of moose to be the top priority of residents of Unit 18, and caribou was number two.

MR. BERLIN: Okay. To go on, the next issue is CO38, add Unit 18 residents to customary and traditional determination for caribou in 19A and B. Current listing, residents of 19A and B and Kwethluk; in addition, during the winter season, rural residents of 18 in the Kuskokwim drainage and bay. Recommendation is to do the same thing as 21E with moose.

And CO44, Kilbuck caribou determination, remove "interim" classification and formally adopt current listing.

And C181, priority for chum salmon in Alaska Peninsula for AVCP, Kawerak and Maniilaq areas. Kawerak and Maniilaq are just in the north of Yukon Delta, the Norton Sound area.

On the following page, CO45, rainbow trout for AVCP area within Kuskokwim area. Current listing, Goodnews Bay, Platinum, Quinhagak, Eek, Kwethluk, Akiachak and Akiak. The recommendation is pending.

And CO46 is the same, is recommended to do the same as CO45.

CO31, include marmot for residents of Unit 18 in 17A, B, and 19. The current listing is none; the recommendation is to adopt.

And after it, it says: Thank you for your time and consideration in these matters. Please do not hesitate to contact us if you have any questions or would like further information on any of the above. It's coming from Myron and Greg Roczicka.

MR. CHAIRMAN: Is there any response from the management of Federal Fish & Wildlife concerning the meeting request board members, some of the board members, or council members participate in Russian Mission on October 26, 1995 special meeting on Yukon moose management committee? Is there any funding available or any opportunity to send someone up there?

MR. BRELSFORD: Mr. Chairman, I believe I can respond to that. The Federal subsistence program has in the past funded the participation of council members and -- in joint meetings and in these cooperative management planning meetings, and we would be happy to do that in this case. It makes obvious good sense for the benefit of the resources and for the quality of the recommendations that the councils can bring to the Federal board, so we would endorse the joint meeting and the participation of these councils at that meeting.

MR. CHAIRMAN: Gene.

MR. PELTOLA: I have a question for Kaycon. Randy, the lower Yukon management committee, their areas, targeted areas, does that include 21E?

MR. KAYCON: No. The management is just everything downstream of -- well, the first time we met the focus was downstream of Mountain Village. Now the focus is just the Yukon trail drainage downstream of Paimiut village.

MR. PELTOLA: What is the rationale here behind their request for representatives from the two subsistence advisory committees to go to this lower Yukon management committee meeting in Russian Mission this month if their targeted area does not include 21E?

MR. KAYCON: I don't know.

MR. PELTOLA: Do you know?

MR. CHAIRMAN: Gene, Randy, you said 21E is a part of Paimiut Slough?

MR. PELTOLA: It stops there.

MR. CHAIRMAN: Yeah, it stops there. It includes Paimiut Slough, my understanding.

MR. PELTOLA: It's the mouth of Paimiut. But the Lower Yukon Moose Management Committee, their area and jurisdiction of what they're addressing is down from there.

MR. KAYCON: I think, Mr. Chairman, Randy Kaycon, Fish & Game, when I talked to Greg about this meeting, he felt that they want to involve the upriver folks at the meeting to discuss other things like posted land and maybe even discussing things outside the management committee about C&T status, that the people from the lower Yukon want to talk about getting C&T status at 21E. And he felt that people from Holy Cross should be at least involved in this somewhat, because a lot of the moose that are coming into Unit 18 are from 21E.

MR. PELTOLA: Mr. Chairman, I move that the chairman -- that we request from the Federal subsistence group the necessary funds for the chairman of this advisory board and a designee from the Kuskokwim area to attend the Lower Yukon Moose Management Committee meeting in Russian Mission on October 26, 1995.

MR. CHAIRMAN: Would you be able to travel? You would be able to travel?

MR. PELTOLA: I would go, yeah.

MR. CHAIRMAN: There's a motion on the floor that a couple or three people, maybe two people -- if there's funding available, it would be good if we get two from Kuskokwim and two from Yukon.

MR. BRELSFORD: Okay.

MR. CHAIRMAN: Because for the reason, for the reason, you know, we were requested by the subsistence board to meet with the upriver people for -- concerning the moose in 21E. That was last year, but we never -- never has been made, that appointment.

MR. BRELSFORD: And, Mr. Chairman, would that be two from the lower Kuskokwim, two from the lower Yukon, and then additional members from the western interior region?

MR. CHAIRMAN: I'm talking about council would like to have two from Kuskokwim and two from Yukon.

MR. PELTOLA: The motion only addressed our council, but I would recommend to you that the interior group be notified that our council will be in attendance and they should be also in attendance, have representation there.

MR. BRELSFORD: I got you. Thank you.

MR. CHAIRMAN: Is there any second?

MR. DAVID: Second.

MR. CHAIRMAN: Okay. David O. David seconded it. Is there any discussion?

MR. DAVID: Mr. Chairman?

MR. CHAIRMAN: David.

MR. DAVID: If there are to be two representatives from the Kuskokwim area, we need to send somebody that's not afraid of moose, maybe Moses and somebody, somebody who hunts moose.

THE INTERPRETER: David is afraid of moose.

MR. CHAIRMAN: Yeah, I think I would like to have -- I would like to have some -- maybe more -- mostly some people from like Kwethluk, maybe one from Bethel. Maybe Gene would be one of them, because there's a big area here in Bethel.

MR. PELTOLA: The motion gives you the authority to

pick. You're the chair; you can pick them.

MR. CHAIRMAN: Any more discussion?

MR. PELTOLA: Question.

MR. CHAIRMAN: Question has been called for. All those supporting send council from subsistence board -- I mean subsistence, Kuskokwim, Yukon, all those in favor say aye.

IN UNISON: Aye.

MR. CHAIRMAN: Opposed say no.

(No response)

MR. CHAIRMAN: Motion carried. So I think the people that -- who are able to be -- able to go, I would like to know if they could -- before I go home or go back to Mountain Village, if they could let me know or talk to John, we would appreciate that. We wouldn't want to take someone unable to make it.

MR. GUY: Thank you, Mr. Chairman. The Kwethluk Joint Group has wanted to present two resolutions to the council at this time. Frank has the papers. Mr. Chairman, I'm just letting you know Frank will be the presentator.

MR. CHAIRMAN: Okay. I think right now, that's the last of AVCP. Before we go into our agenda ten, open the floor to public on comments concerning Federal subsistence program, I'm going to give -- opportunity has been opened up for Kwethluk Joint Group. Yesterday we opened and put it on agenda, so at this time we're going to ask present their resolution to us or to others. Frank.

MR. NICORI: Mr. Chairman, I believe we appointed Oscar to do presentation on the resolutions.

MR. CHAIRMAN: Okay. Oscar.

MR. LARSON: Morning. My name is Oscar Larson. I'm the natural resources representative for the Kwethluk IRA Council. I was instructed to read these two short group resolutions that were handed down to board members and the staff of the U.S. department.

First Kwethluk Joint Group resolution I'm going to read is Kwethluk Joint Group resolution number 95-09-01: Kwethluk Joint Group resolution number 95-09-01 requesting the U.S. Yukon Delta National Wildlife Refuge to begin to process on co-management of the permanent subsistence Kwethluk River and its tributaries; whereas, the Kwethluk Joint Group represents tribal members and residents in the village of Kwethluk; and, whereas, Kwethluk River and its tributaries continue to be the main source for traditional and customary subsistence fishing, hunting and trapping to put food on tables; and, whereas, the U.S. Fish & Wildlife and the Kwethluk Joint Group have a common cause to preserve, conserve, wisely use the renewable natural resources; and, whereas, the U.S. Fish & Wildlife Service and Kwethluk Joint Group have a common cause to protect and keep the renewable natural resources habitats, sanctuaries in their clean and livable conditions; and, whereas, in an era when the preservation of the Fish & Wildlife renewable resources is increasingly becoming a demanding task that clearly calls for a co-management process consistent with sound management principles for the protection of the ecosystem; and, whereas, the subsistence co-management process is a way and means essential to Native physical, economic, traditional and cultural existence and to non-Native physical, economic and social existence; and, whereas, Section 809 of the Alaskan National Interest Lands Conservation Act provides for cooperative agreement; and now, therefore, it be resolved that the U.S. Fish & Wildlife Service in the Yukon Delta

National Wildlife Refuge is respectfully requested for assistance for the orderly and timely development of a co-management plan for the permanent subsistence Kwethluk River and tributaries; and be it further resolved that copies of the Kwethluk Joint Group be sent to Mollie Beatie, Director of U.S. Fish & Wildlife Service, Washington, D.C.; Robert T. Anderson, Associate Solicitor Indian Affairs, U.S. Department of Interior, Washington, D.C.; Dave Allen, Director U.S. Fish & Wildlife, Alaska Region; Richard Pospahala, Executive Officer Federal Subsistence Board, Anchorage, Alaska; Mike Reardon, Manager Yukon Delta Wildlife Refuge, Bethel; Michelle Davis, Directing Attorney Native American Rights Fund, Anchorage, Alaska; Taylor Brelsford, Federal Subsistence Management Program, Anchorage, Alaska; Elizabeth Andrews, Western Regional Supervisor, Fairbanks, Alaska; Frank Rue, Commissioner, Alaska Department of Fish & Game; passed and adopted this 2nd day of October 1995. And it was signed by (names read).

The next resolution is Joint Group resolution number 95-09-02: Petitioning the Federal Regional Subsistence Council to stop the use of jet-operated boats in the permanent Kwethluk and tributaries subsistence river; whereas, the permanent Kwethluk subsistence river is suffering due to river bank erosion caused by nature and abetted by fast, go-anywhere in deep or shallow waters jet and inboard-operated boats; and, whereas, potential boat collisions may occur in the narrow width river waters, and driver and passenger safety needs to be kept in mind; and, whereas, the Kwethluk River, a Kuskokwim River tributary, is located in the Yukon-Kuskokwim Delta National Wildlife Refuge system; and, whereas, the village of Kwethluk, an age-old historic village, is named for and after the Kwethluk River; and, whereas, the Kwethluk River and its tributaries are traditional and customary subsistence fishing, trapping and hunting river from the time immemorial when Kwethluk traditional councils governed to the time when their extension, the Indian Reorganization Act Council, evolved and was approved on May 11, 1939, by the U.S. Assistant Secretary of the Interior and ratified by the Yupik residents of Kwethluk on January 11, 1940; and, whereas, the village of Kwethluk is both a traditional and Indian Reorganization Act village, and as such has historical water rights; and, whereas, the Kwethluk River and its tributaries has various fish spawning grounds in its middle and upper subareas; and, whereas, the Kwethluk River and its tributaries are habitat and sanctuary for many species of fish, which include salmon, trout, pike, grayling, Dolly varden, lush, whitefish, chee fish, blackfish, and other wildlife are very important to the traditional subsistence way of life; and, whereas, the Kwethluk River and its tributaries vicinities also serve as a habitat and sanctuary and breeding grounds for many anadromous fish species, big and small game, various waterfowl; and, whereas, the U.S. Congress, through the Alaska Native Interest Lands Conservation Act, provides for priority subsistence fishing, hunting and trapping on the public lands for rural Alaskan residents; and, whereas, the Alaska Native Claims Settlement Act effectively inhibited Kwethluk Incorporated to adequately select additional traditional and customary hunting, trapping, fishing and camping land areas; and, whereas, the preservation, conservation and continuing viability of fish and wildlife renewable resources, which the Kwethluk Joint Group addresses, is increasingly becoming a difficult and demanding task; and, whereas, exists Federal Judicial Decision, 774 F.2d 1414 (1984),

where under congressional constitutional authority, namely, the property clause and the commerce clause, which provides for protection and opportunity for continued subsistence renewable resources uses; and, whereas, exists Federal Judicial Decision 606 F. Supp. 825 (1984), enabling knowledgeable rural residents to have a meaningful role in the management of fish and wildlife and of subsistence, emphasis added, use on the public lands in Alaska; and, whereas, the Alaska Natives' subsistence fishing, hunting and trapping rights are critical to aboriginal Alaskans' traditional and customary physical, cultural and economic existence; and, whereas, the use of jet-operated boats have the potential to harm the river banks, the riverside vegetation, critical gravel spawning grounds, all of which are very important to the survival of various fish species and other renewable natural resources; and now, therefore, be it resolved that the Federal Regional Subsistence Council is petitioned for assistance to stop use of jet-operated boats in the permanent Kwethluk and tributaries subsistence river; and be it further resolved that the copies of the joint resolution is sent to Myron Naneng, President AVCP, Inc., Bethel; Mike Reardon, Manager Yukon Delta National Wildlife Refuge, Bethel; Matthew Nicolai, President and CEO Calista Corporation, Anchorage; Julia Kitka, President AFN, Anchorage; Michele Davis, Technical Services Facilitator Native American Fish & Wildlife Society, Anchorage; Michael Coffing, Subsistence Resource Specialist ADFG, Bethel; Honorables Senator Lyman Hoffman and Representative Ivan M. Ivan; passed and adopted this 2nd day of October 1995, (names read).

MR. CHAIRMAN: Do we have anything, discussion from the board, concerning the Kwethluk Joint Group resolutions?

MR. PELTOLA: I have a motion on the first resolution.

Mr. Chairman, I move that this council recommends to the U.S. Fish & Wildlife Service that they work with the Kwethluk village entities to effectuate cooperative agreements within sound biological management principles to perpetuate renewable natural resources used for subsistence purposes within this refuge.

MR. CHAIRMAN: Is there any second?

MR. ANVIL: Second.

MR. CHAIRMAN: Seconded by Antone Anvil. Do we have a discussion on the motion?

MR. WHITE: Question.

MR. CHAIRMAN: Question has been made. All in favor say aye.

IN UNISON: Aye.

MR. CHAIRMAN: Opposed, same sign.

(No response)

MR. CHAIRMAN: Motion carried.

I think at this time we're going to have a ten-minute break here before we move on.

(Off record discussion)

MR. CHAIRMAN: Did you approve both of them?

MR. PELTOLA: The first resolution addressed that. The second resolution was not addressed by that motion.

MR. CHAIRMAN: Second resolution, before we act on it, I'd like to have some information on it because I think this second resolution, it's urging us as a -- as council to --

MR. PELTOLA: Mr. Chairman?

MR. CHAIRMAN: I think it's right there, therefore be

resolved that -- that the Federal Regional Subsistence Council petition assisting them, I don't know if that's our way to do things or not. We would like to have more information.

MR. PELTOLA: Mr. Chairman, this is an issue that's come up over the recent history a number of times. If I remember correctly, and Fritz might know, it seems as though at the AVCP convention in the later '80s, Akiak and Akiachak wrote similar resolutions for the Kisaralik River, banning jet boats on the Kisaralik River for basically the same purposes.

Has there been any studies of whether jet boats -- what kind of damage they do to the river system or the corridor along the river system or spawning beds on the river systems?

MR. STROM: Denny Strom, Fish & Wildlife Service in Bethel.

There's been some work down in the Togiak area, if I remember, and I don't know the specifics on it, but we can see if we can get some, I think. I think the Fish & Game sponsored some of it and Fish & Wildlife Service sponsored some of it.

MR. PELTOLA: (indiscernible) on the Kenai River?

MR. STROM: The Kenai issue was of bank erosion.

MR. PELTOLA: That's one of the issues here.

MR. STROM: Yeah, of bank erosion, that they could tie to boats.

MR. PELTOLA: But it's a biological fact that bank erosion, when you destroy the habitat right at the water level there, the overhangs, it's detrimental to salmon smolts or fry, whatever you call them.

MR. STROM: There is.

MR. DENTON: Mr. Chairman, last year there was a conference in King Salmon dealing with those issues. There has been some research in the last few years done in Katmai National Park on spawning beds, jet boats, as well as conventional motorboats. The damage is nearly the same by both types of boats in terms of disruption and destruction of viable salmon eggs in reds.

There are some folks that could possibly get you that information, but they've done some pretty extensive tests with sample nest eggs and actually testing boats going by with video cameras right on the reds.

MR. PELTOLA: Mr. Chairman, my recommendation in regards to the second resolution was to be for subsistence council staff to compile information so we've got some information we can review, and then take action, you know, at a subsequent meeting.

MR. CHAIRMAN: That's your recommendation?

MR. PELTOLA: Yeah, that's my recommendation. I'd like to see some of the material that has been generated by some of these studies.

MR. CHAIRMAN: Is this possible?

MR. STROM: Yes.

MR. CHAIRMAN: That's for our next meeting?

MR. STROM: I think we can get it.

MR. CHAIRMAN: This material should be available to us, to the council.

Anything else?

MR. NICORI: Mr. Chairman, I guess I would want that information also, if that's possible for the Kwethluk group to have, so we can look at it.

MR. CHAIRMAN: So, Gene, before we take any action, we would like to find --

MR. PELTOLA: I'd like to review information, because if it is a real problem, then we should -- I think we should address it.

MR. STROM: You're looking at another issue here, too, and that's the issue of navigability on waters and free and unimpeded passage of boats and that. So, you know, you're treading on a couple of different -- different --

MR. PELTOLA: There's a precedence established. The precedence in the Kenai River, I mean, gives you the legal authority to control navigation on navigable waters, to limit.

MR. STROM: And as far as I know, there's no determination yet on to the navigability on Kwethluk.

MR. GUY: Mr. Chairman, for the -- Phillip Guy with Kwethluk Inc., joint group member.

With respect to navigability, the Kwethluk River, pursuant to action by the Bureau of Land Management, has been determined to be non-navigable, which use and establish and accepted survey manual instructions. And Kwethluk River at this point in time continues to be determined non-navigable because of its three chain width size, that's -- it is less than 198 feet wide.

The non-navigable issue is also -- may have to be resolved through the courts, but right now the Kwethluk River is non-navigable. It has been determined non-navigable and the regional corporation, Calista Corporation, is fully aware of it.

There was a point in time several years back when the Bureau of Land Management asked the Calista Corporation if the -- if the -- the respective villages in the region wanted -- wanted redetermination, and pursuant to responses by the various Yukon-Kuskokwim villages, the Calista Corporation requested that there be no redetermination, which the Bureau of Land Management abided by.

But, again, the Kwethluk River is non-navigable pursuant to the manual of survey instructions at a time when those were -- those determinations were made. Thank you, Mr. Chairman.

MR. CHAIRMAN: Anyone else towards this resolution?

MR. NICOLAI: Thank you, Mr. Chairman. At this point, I'd like to make few comments about not only Kwethluk River alone.

As you know, the State and Federal always say it's navigability water just because they got a jet boat, just because the boat can float easily with a jet boat. Without boat motor, you cannot, with three inch of water.

As you've been stated, both Federal and State, you've always stated that we want the fish to spawn, we want the fish to spawn and grow, to migrate back and forth. As all of you well know, the jet boats can easily kill the spawned eggs right out of the water. I myself have seen it in all the different rivers. When the jet boat passes out of shallow water, which is usually spawned by any -- all kind of species of salmon, they're all distributed by the big thrust from the motor of the jet, outboard motor. Even on a -- with a outboard motor, if you have a big boat, you can easily disturb it, too.

Not only that, you got to think about the vegetation on all the rivers and tributaries. That's where all the fish spawn. And when they're kindling, you usually hike around the vegetation.

If there's no vegetation around the small sloughs or small creeks, you well know what's going to happen. There's a lot of little birds and sea gulls and whatnot who fly around, they pick them up and eat it because they have no place to hide when they're really small.

I've traveled to few villages, few rivers because I like to know what's going on, not only in my area, but other areas, too. I've been to Kenai twice now, Kenai area. I've talked to my fellow Natives over there who are subsistence hunters, too, and subsistence fishermen. I even go on that bank of the rivers to see how it was. I know real well the rivers were pretty good before the sports was going on. All the rivers and tributaries, they all had vegetation and no erosion, nothing. And they showed me the picture what had happened after all the sport fishing, whatnot came around. All the river banks are starting to erode, all the vegetation is beginning to be gone where the small fish usually hides.

I think it's about time we all should understand both Federal and State, all of us, because each are way of life for our Natives.

As you well all understand, we, the Natives of Alaska, we don't have all your employment, all-season employment. If I employed all year-round, I wouldn't kill. What the hell is going on?

That's why I always fight for my fellow Natives, because it's their only way of life to survive. That's their only bank, as you have a bank account yourself who are employed all year-round. The Natives always depend on the land, it's like a bank to them, for their survival.

I think it's about time we all should both try to understand what we're fighting for. As all of you know, we should work together. Under the Native Claims Settle Act, as it is stated, we've got to have a co-management on both and Federal. I think it's the only way we can work together and try to solve these problems, not only -- not only wild games or fish. We've got to work together in order to solve the problems.

If we start fighting among each other, we won't go any place. That's the only way we can solve the problem, is co-management and cooperate with both Federal and State. I think the Federal or the State should start listening to the Natives what they're talking about. I think they'll start to understand what we're -- what the Natives have been fighting all these years, because it's their survival. They've been here from generation to generation and they don't have a bank account like the regular employees. That's only their survival.

I think it's about time we, the committee and the board of both Federal and State, should start working together. Thank you.

MR. CHAIRMAN: Thank you, Moses. I would like to see this -- I want to make sure that Kwethluk Joint Group to understand why we are planning to hold this back for approval or put it on a motion of advisory council.

There is something that I'd like to report or we have to understand because of this "therefore resolve." It says that petition assistance to stop the jet-operating boats. I don't know if this regional advisory council have a right to control the water because our role and responsibility as regional advisory council. Regional advisory council for charter in 1993 to provide format for the rural Alaska residents to have a role of management of fish and

wildlife in Federal public land. The regional council are authorized by the Alaska National Land Conservation Act, ANILCA, and to part of the Federal subsistence program, regional council, provide advice and make recommendation to Federal subsistence boards and to the Secretary of Interior of the culture.

For that reason, that nothing can say this board, this advisory council, is able to make a -- make a recommendation, something, on the water, that's why that we're going to hold it and get more information, so you understand.

MR. GUY: Mr. Chairman, I thank you. Phillip Guy with Kwethluk, Inc., and the joint group.

Yes, the resolution has nothing to do with navigability of the water. It has to do with the -- the doing away with the use of jet boats. There has been a precedent established, as your member Gene Peltola has stated earlier, and we do not want to get to that point. Thank you, Mr. Chairman.

MR. CHAIRMAN: More discussion?

MR. OWENS: I've got a question for U.S. Fish & Wildlife. What's the determination on Kwethluk, Kisaralik and Little Kisaralik, whether it's still navigable or non-navigable?

MR. STROM: As far as I know, the Kwethluk River or the Kisaralik River has been considered navigable. This changes depending on which court ruling you're going by and which precedence you're using. I think it's all in an upheaval right now on what's going to be the final determination.

There were some determinations done in the, you know, '70s or '80s. I don't know where it sits right now. We'd have to talk to BLM and find out on that. They're the ones that have been working with the navigability.

MR. OWENS: Okay. Since this resolution is being held for the next meeting, is it possible that you guys can come up with information on that?

MR. STROM: Try to find the latest we can get.

MR. PELTOLA: That information should be provided to Kwethluk also.

MR. STROM: Yep.

MR. CHAIRMAN: At this time we will have a ten-minute break.

(A recess was taken)

MR. PELTOLA: Mr. Chairman, I move that the refuge spring and get you a gavel.

MR. CHAIRMAN: Yeah. Yeah.

At this time I think we're going to look one more time at Kwethluk Joint Group Resolution Number 95-09-02. Phil.

MR. GUY: Mr. Chairman, I thank you. The Kwethluk Joint Group had a brief meeting during the break and made amendments to the joint resolution number 95-09-02. The amendments will be read by Oscar Larson. Thank you.

MR. CHAIRMAN: Oscar.

MR. LARSON: The Kwethluk Joint Group just met and made some amendments on the motion -- rather on the resolution, as stated by Phil Guy. Here it is, the new resolution: Joint group resolution number 95-09-02, requesting the Federal subsistence -- requesting the Federal Regional Subsistence Council to assist the Kwethluk Joint Group to stop the use of jet boats -- jet-operated boats in permanent Kwethluk and tributary subsistence rivers;

whereas, the permanent Kwethluk subsistence river is suffering due to river bank erosion caused by nature and abetted by fast, go-anywhere in deep or shallow waters jet and inboard-operated boats; and, whereas, potential boat collisions may occur in the narrow width river waters, and driver and passenger safety needs to be kept in mind; and, whereas, the Kwethluk River, a Kuskokwim River tributary, is located in the Yukon-Kuskokwim Delta National Wildlife Refuge system; and, whereas, the village of Kwethluk, an age-old historic village, is named for and after the Kwethluk River; and, whereas, the Kwethluk River and its tributaries are traditional and customary subsistence fishing, trapping and hunting river from the time immemorial when Kwethluk traditional councils governed to the time when their extension, the Indian Reorganization Act Council, evolved and was approved on May 11, 1939, by the U.S. Assistant Secretary of the Interior and ratified by the Yupik residents of Kwethluk on January 11, 1940; and, whereas, the village of Kwethluk is both a traditional and Indian Reorganization Act village, and as such has historical water rights; and, whereas, the Kwethluk River and its tributaries has various fish spawning grounds in its middle and upper subareas; and, whereas, the Kwethluk River and its tributaries are habitat and sanctuary for many species of fish, which include salmon, trout, pike, grayling, Dolly varden, lush, whitefish, chee fish, blackfish, and other wildlife are very important to the traditional subsistence way of life; and, whereas, the Kwethluk River and its tributaries vicinities also serve as a habitat and sanctuary and breeding grounds for many anadromous fish species, big and small game, various waterfowl; and, whereas, the U.S. Congress, through the Alaska Native Interest Lands Conservation Act, provides for priority subsistence fishing, hunting and trapping on the public lands for rural Alaskan residents; and, whereas, the Alaska Native Claims Settlement Act effectively inhibited Kwethluk Incorporated to adequately select additional traditional and customary hunting, trapping, fishing and camping land areas; and, whereas, the preservation, conservation and continuing viability of fish and wildlife renewable resources, which the Kwethluk Joint Group addresses, is increasingly becoming a difficult and demanding task; and, whereas, exists Federal Judicial Decision, 774 F.2d 1414 (1984), where under congressional constitutional authority, namely, the property clause and the commerce clause, which provides for protection and opportunity for continued subsistence renewable resources uses; and, whereas, exists Federal Judicial Decision 606 F. Supp. 825 (1984), enabling knowledgeable rural residents to have a meaningful role in the management of fish and wildlife and of subsistence, emphasis added, use on the public lands in Alaska; and, whereas, the Alaska Natives' subsistence fishing, hunting and trapping rights are critical to aboriginal Alaskans' traditional and customary physical, cultural and economic existence; and, whereas, the use of jet-operated boats have the potential to harm the river banks, the riverside vegetation, critical gravel spawning grounds, all of which are very important to the survival of various fish species and other renewable natural resources; and now, therefore --

(Off record discussion)

MR. LARSON: Now, therefore, be it resolved that the Federal Regional Subsistence Council is requested for assistance -- requested to assist the Kwethluk Joint Group to stop use of jet-operated boats in the permanent Kwethluk and tributaries

subsistence river; and be it further resolved that the copies of the joint resolution is sent to Myron Naneng, President AVCP, Inc., Bethel; Mike Reardon, Manager Yukon Delta National Wildlife Refuge, Bethel; Matthew Nicolai, President and CEO Calista Corporation, Anchorage; Julia Kitka, President AFN, Anchorage; Michele Davis, Technical Services Facilitator Native American Fish & Wildlife Society, Anchorage; Michael Coffing, Subsistence Resource Specialist ADFG, Bethel; Honorables Senator Lyman Hoffman and Representative Ivan M. Ivan; passed and adopted this 2nd day of October 1995, (names read).

Thank you.

MR. CHAIRMAN: What is the desire of council?

MR. OWENS: Mr. Chairman, John Owens. Did you guys get corrections on your copies right there?

MR. CHAIRMAN: The wording is changed, but not really changed.

MR. PELTOLA: The recorder has the changes.

MR. OWENS: Maybe it could be helpful, because there was only two changes, in the introduction paragraph and the first "therefore." Those are the only changes that they had made. It might be better if the council here got those corrections, understanding more.

Phil, it might be better if you tell them where the changes were made.

MR. GUY: Mr. Chairman, the Kwethluk Joint Group met during the break and amended the joint group resolution to -- changed it -- to 95-09-02, they changed "petitioning." The wording of "petitioning" was changed to "requesting the Federal Regional Subsistence Council to assist the Kwethluk Joint Group to stop the use of jet-operated boats in the permanent Kwethluk and tributaries subsistence river."

The joint group resolution number 95-09-02 was formally adopted and has been presented to the council. I thank you.

MR. CHAIRMAN: Regional council, you remember the time that -- I think is after a year or year after year organize, we were working on a 40 horse somewhere else, too, something -- same thing about -- more like this. We were helping them get rid of 40 horse motor or anything, or whatever.

MR. PELTOLA: There was 40-horse limitation imposed on moose hunters on the Holitna River and Hoholitna River drainage. So that's what you're referring to.

MR. CHAIRMAN: So what is your desire? Are we going to support this resolution or we are still -- we are still -- we make a recommendation earlier?

MR. GEORGE: Seems like it wouldn't hurt to support the resolution of Kwethluk IRA Council. Since the Federal judge kicked out State of Alaska Department of Fish & Game out of Federal public lands in the state of Alaska, I thought that is what happened, but now I heard the question raised by Chairman Wilde that our bylaws, or whatever, is saying that doesn't tell us to make policy or make proposals on navigable waters.

MR. CHAIRMAN: Gene.

MR. PELTOLA: Correct me if I'm wrong, Randy, or, Dennis, or anybody. It's my understanding that the Federal Subsistence Board does not have the authority to effectuate this resolution, but the refuge --

MR. BRELSFORD: Correct.

MR. PELTOLA: -- if it's determined that spawning habitat or rearing sanctuaries in that river system are detrimental to the sustainment of renewable resources, has the authority to put limitations on that river for utilization of boat utilization. Is that right?

MR. STROM: I don't think the State was, because like you say, what they did to Kenai. I don't think the Federal --

MR. PELTOLA: Kenai was both the refuge and the State.

MR. STROM: Yeah, but it's Federal waters, navigable waters, that was definitely --

MR. PELTOLA: And the feds were the ones that put the 40-horse limitation on the Kenai River, with concurrence of the State, or the State --

MR. BRELSFORD: I think there was State function, State board.

MR. STROM: It was a State act.

MR. KAYCON: Those resolutions can be -- you know, DNR would be the appropriate agency, I guess, to put this resolution before, because DNR is the manager of the navigable waters of Alaska.

MR. MORRISON: Mr. Chairman, John Morrison, Fish & Game department.

I might point out that there's a similar problem on the Dall River, which flows into the Yukon west of Fairbanks, and the local communities up there have asked to eliminate certain non-subsistence boat traffic and other activities because of a threat to resources there. And the Federal Subsistence Board is presently not active on that until the lawsuit is settled as to the navigability issue. They just put it on hold until they see which way this is going to go. I'm sure this would be put into a similar situation, that it not be entertained by the Federal board until that lawsuit is over with. Thank you.

MR. CHAIRMAN: Phil.

MR. GUY: Thank you, Mr. Chairman. The navigable issue at this point is not argument. The argument is the stop the uses of the jet-operated boats on the -- in the Kwethluk River. We have precedents. We have the Kenai, we have the Holitna and the Hoholitna. They're limited to 40 horsepower.

Kwethluk at this point in time again has been determined to be non-navigable. The Hoho and the -- the Holitna and Hoho are clearly navigable. We are talking about the stop -- stoppage of the use of jet-operated boats in the Kwethluk subsistence river. And we critically need the support of the council, whether it be to the Federal Subsistence Board or to the State Board of Game and the State Board of Fisheries. Thank you.

MR. CHAIRMAN: Gene.

MR. PELTOLA: Mr. Chairman, I move that the Yukon Delta National Wildlife Refuge Subsistence Committee endorse the intent and the request of Kwethluk Joint Group in resolution 95-09-01 -- or 02, excuse me, and advise those designated individuals in the resolution of our endorsement of such.

MR. CHAIRMAN: That's your motion?

MR. PELTOLA: Is that okay, Phil?

MR. GUY: Yes.

MR. GEORGE: Seconded.

MR. CHAIRMAN: Seconded the motion by Fritz George.

Discussion on the resolution? Moses.

MR. NICOLAI: Thank you. As you know, as a biologist of both State and Federal, both Federal and State have been talking, we got to have fish, we got to have fish. So I hate to say -- say that later, say both Federal and State, it's the Natives' fault, it's the Natives' fault, they wipe out the fish.

As you know, as stated earlier, when they don't have spawning ground or vegetation, they want -- they wouldn't want to spawn around that area again, they look for another place.

Not only that, as a commercial fisherman, all over the state of Alaska, you know it and the Natives know it, all the tributaries of Alaska are starving for all kinds of species of salmon. A lot of times -- because I've been to a lot of meetings, they always say the Natives are wiping out the fish. They always kind of blame it on us.

They should have a research about these outboard motors and jet boats which goes on the river, all the tributaries of the rivers and through each of water with jet boats. I think they never realized their role in the spawning areas. If we don't have any more spawning areas, what's going to happen to the commercial fishermen. As Fish & Wildlife or board and State will tell us, there will be no commercial fishing in account of less fish.

As you know, as a biologist, all of you, or the Natives, we know the fish usually spawn and go out to the -- out in the doughnut hole, grow up there, stay up there for three to four years, then come up again and spawn. With no spawning ground, all of you know it, I think the biologists know it more, all of you know it, with no vegetation or with no spawning grounds, if the spawning grounds are ruined, I know you'll be right, there will be no more fish. They used to say it every time I go to different meetings, while the Natives are -- let them decline it.

They never -- I like to see any -- all the research on the outboard motors. Why cannot we help the proposals what our Natives ask us. Look what happened to Holitna. They were ruining the river on big outboard motors. That's why they were asking for 40, in account of vegetation. And that's where the fish spawn to. That's no difference to other rivers which they took limited outboard motors size.

I'll state it again: With no spawning ground for all the species of fish, we'll have less and less fish every year. I state it again. It's about time we all should work together.

Research, you all state it in the -- we got to research, we got to research. I think if you really want to research, go out to outlying villages, talk to elders. They know more about it than us.

I'll state it, a little more comment. Way back in my young days, when it was headed by Federal, I know in those days, in my young days, there were a lot of fish, a lot of wild games, and they used to have early season on openings on every game. We never get less and less. Then all of a sudden this new equipment came in, big motors, outboard motors. We never realized about our rivers.

Not only that. There's been a lot of pollution from sport hunters and whatnot ruining the rivers, pulling their trailers on the riverside. As a matter of fact, I've even seen pikes and whatnot, other species, buried right by the side of the river where they've been fishing. That kind of gets me because we're trying to

support both Federal and State about the wildlife.

I think it's about time we should work together and research everything what's causing it. Thank you.

MR. CHAIRMAN: Moses, I would like to ask you one question. Is Kwethluk used for subsistence or hunting from other villages, like (indiscernible) and some other things?

MR. NICOLAI: Well, as all of you know, as us Natives, we share everything. Not only Kwethluk, hunting our area. There's a lot of other villages who go up that area for subsistence.

I hate to see it, I hate to see the Natives separate among each other, like Y-K Delta area. I hate to see it while I'm living, fighting among other each like it's started now. They tried to disrupt us as fellow Natives. I think it's about time we should start supporting each other.

As I stated earlier, we as advisory committee here are sitting to support whatever our fellow Natives ask us to do, to support or not to support it. If it's a good idea, we got to support it. Thank you.

MR. CHAIRMAN: Any more discussion?

MR. CHALIAK: Mr. Chairman, I have been on these committees for quite some time now and have been chairman of the State committee for a while. We've dealt with the -- this issue of jet motors before and their groups from upriver have dealt with this problem as well, this problem of jet boats' effect on spawning, spawning grounds. And in my area, since the beavers have set up dams, a lot of dams in that area, it has affected fish numbers, and it has been the reason for -- one of the reasons for the decline of fish.

I'm endorsing or supporting this request of the Kwethluk group. We have been told to be -- to handle the fish with care. We are getting careless and disregarding a lot of these old things and they are affecting the decrease in the numbers of fish. I just wanted to support what he had said, as I understand it, and I just wanted to give him some support.

MR. CHAIRMAN: Any more discussion on the resolution?

MR. DAVID: Mr. Chairman, I'd like to make a comment on the resolution, too. On drafting resolutions in villages, it's something that is not done when you first think about it. The resolutions are ways of the immigrants in asking for things that they want, that -- where they don't live.

And for Kwethluk Joint Group, I am sure that they have talked about what's in resolutions before they draft it and present it to this group for long time. They have thought about it, talked about it probably for more than a year.

And the jet boats that were mentioned by Moses are the things that Fish & Wildlife ADF&G people know very well, and they know very well that those are out -- should be outlawed because they're destroying the frys, where fish spawned, and in turn, they turn around -- Fish & Wildlife people turn around and say Kwethluk people have outfished that river.

That's not so. The Kwethluk people have been there many years compared to what Fish & Wildlife people have been here. They never -- their people never run out of -- their fish never went down. The people who study biology and who claim that they're experts in biology come around and help in destroying the fish frys in Kwethluk, as well as where they spawn.

And, finally, Kwethluk people, and I'm sure there are

other people, too, in other areas, in other villages that would support what's on here, because he stated that what is in that -- in Kwethluk is shared by every original people of the land. And my people from way down -- downriver have come up -- up there to do their subsistence fishing and getting their caribou, and it takes them more than a day to find their food up there.

They don't stop to Kwethluk to get a permit. They know very well that Kwethluk people are willing to share what they have there, and my people down there are willing to share if those people want to come down and get their subsistence food from my area.

They don't have to have a permit to go down there and get their food.

So like I said earlier, in drafting a resolution is not something that you do when you dream about it last night. It's something that you thought about it for a long time. Thank you.

MR. PELTOLA: Mr. Chairman, the motion's in favor of -- in support of resolution 95-09-02 and I call for a question.

MR. CHAIRMAN: Question has been called for. All who support resolution 95-09-02, all those support, say aye.

IN UNISON: Aye.

MR. CHAIRMAN: Oppose, same sign.

(No response)

MR. CHAIRMAN: Motion carried.

MR. GUY: Thank you all.

MR. CHAIRMAN: Before we have a lunch, we have -- we are going to open now the floor on item ten that we cancelled for this day. We now going to open the floor to public comments on Federal subsistence, what you think of subsistence program, what is the subsistence program.

I have been thinking about a lot concerning of subsistence program in our village and in our area. However, there are some things also that the board have to work with. In ANILCA itself we're looking at, that's only the page down that's Federal subsistence program, I think it start from. If there's enough subsistence food and resource available, we have to deal with not only traditional subsistence, we have to deal with Native and white alike. That is our responsibility as a council, advisory council of Yukon Delta Subsistence Regional Council.

In that place we have to think some of the things that how we could deal with. I think as myself, as I grow up, and very and very poor and needed food and try to grow up my family without parents, this program, it give me a lot of privilege and strength to help others who need it in their livelihood by their trying to provide -- give them opportunity to have their subsistence way of life.

And I think it's -- this Federal subsistence, I have been working with the State for over 15, maybe 20 years, under State.

Our Native people or any other subsistence people didn't have that much privilege under State, until this Federal subsistence program's come up. And I want to thank Kuskokwim and Yukon. Even there's a hard times in some days. As long as we are working together, we will survive. Thank you.

I would like to hear your comment also on Federal subsistence program, board's or audience.

MR. ANVIL: Mr. Chairman, I have been on groups, on the board, in different organizations, and there's some -- there's

some group or there's some from the villages that they bring up their resolutions, what they want to see in their villages, what they want to see on their subsistence, what they want to see on their hunting areas, and these resolutions that they bring were presented through the board and the board hear what they want in that resolution.

And the board in any organization pass the resolutions, and those people that bring their resolutions, they're really comfortable, they're happy that it's passed. But I like to see when you pass a resolution, I like to see the follow-through. Work on it continuously and let the people that bring the resolution know that it has been taken care of and putted into work.

And a lot of times I hear resolutions brought up and then -- then approved and passed, and the next meeting that same resolutions will come back, and they say, what do you have then about it, these -- like Fish & Game and people, you know, that these village resolutions had passed, just like this one here. I like to see -- I'd like to see that it's been followed through, working on, and if we -- next meeting we want to hear what has taken place after the resolution is passed, not just put it under the rug and forget it, you know.

And we don't like to hear the same resolution brought up and pass again next meeting. It's presented to us right now and I'd like to see follow-through, and the next meeting we want to hear the good news about it.

And one more that I'd like to bring up is these bird eggs, that it's against the law to take, you know, the eggs, you know, from any kind of birds, you know. I guess you all know and have heard that two women in Anchorage have been cited taking some eggs around that area. They were cited and later on I heard that their charges were dropped, or whatever.

Well, anyway in Anchorage I heard on that -- some island in that lake, I guess, so many eggs that they have to bring pigs to eat them eggs. Fish & Game did that after that they said you cannot pick eggs. There's not many people in Anchorage who like their wild eggs. I like my wild eggs. They taste good in the springtime, you know, but I don't know why after they tell the Native people not to pick any eggs anywhere, they brought those pigs to eat all those eggs, you know, that are laid on the island.

I think something has to be done about it, too, you know, because these give the Natives -- allow them to get few eggs in the springtime anyway, because ever since I was born, you know, that's what I'm after. When they lay eggs, I want to go out and have feast on those eggs.

MR. DAVID: Mr. Chairman, I would say there should be meeting to bring up those pigs that you've taken out to the island that eat the eggs. What are the eggs to you? Are the pigs more important than human beings?

MR. PELTOLA: In defense of Alaska Department of Fish & Game, it was actually the Department of Transportation that came upon the idea of putting those two pigs on that island, because the birds nesting there were a threat to landing and departing aircraft taking off of Lake Spenard and Lake Hood.

MR. CHAIRMAN: That gentleman back in the corner.

MR. MORRISON: Mr. Chairman, John Morrison, Fish & Game department.

That topic was brought up in a meeting in August of

the Rural Alaska Resources Association, which includes many subsistence groups. And they went to the Fish & Wildlife Service law enforcement branch, was the group that cited the two ladies for taking the eggs because it's a violation of a Federal, not a state law, and they were released, the women were not charged.

But the outcome of it was, is that there's kind of an agreement going that instead of putting the pigs back out there to eat those eggs, they will try to work out an agreement whereby qualified subsistence people can do so.

As Gene pointed out, the purpose of getting rid of the eggs was to get rid of the nesting birds. There was no planned benefit for pigs, although the pigs certainly were a treat for whoever got to eat them. I guess they were in pretty good shape after scamming on those eggs. I think they went to the prison in Palmer to be consumed. At any rate, something hopefully will get worked out, that this problem will be cured. Thank you.

MR. DAVID: I'm not quite done, Mr. Chairman.

MR. CHAIRMAN: I think I have to find this out of order because my question was what you think of subsistence -- Federal subsistence program. That's what I ask. That's on the agenda.

MR. DAVID: That was why I was saving that for WCC meeting, so I'll drop it now and save the rest for the WCC meeting.

MR. CHAIRMAN: Yeah. I think -- that was -- that's on agenda, the question that I ask, what do you think of Federal subsistence program.

MR. WHITE: Mr. Chairman?

MR. CHAIRMAN: Yeah.

MR. WHITE: Subsistence was, during the early days, was not an issue. Since the State and Federal agencies have come on, when they came on we were told things would not change. Since the statehood, I have heard of -- I hear of people that are hunting and fishing and hiding to do it. This issue of subsistence, it was heard of as a small boy. These Federal people had stated that they would not affect the subsistence lifestyle. When I eat ptarmigan, I am told by agencies that ptarmigan numbers are low, whereas they're promised at statehood that it will not -- the subsistence lifetime will not be affected.

MR. CHAIRMAN: What you want to do? You want to eat right now or take care of this agenda? We got two more items left.

MR. NICOLAI: I would like to say something before lunch.

First of all, as all of you know, when they have Native Claims Settlement Act, they use to put it in the code that, Title 804, whatever you call it, that will support the Natives all the way through. And, first of all, they promise us a lot of times, I think, that we need to follow up what they had stated in there.

They always told us a lot of times in my young days that our teachers or elders -- as you know, they don't write, write letters, but they got in their head. And nowadays both Federal and State want to see it in black and white. They don't want to see it in your head because they couldn't read it, because they couldn't read their mind.

We're fortunate to have Federal on our side to support the subsistence way of life. Well, in the first place, they promised Indians that they'll try to support them a hundred percent. We

should be glad to have Federal on our side to -- I'm glad we start to have Federal advisory committee here in Y-K Delta area, so we'll have more voice to say so for the State or Federal trying to solve the problem we have in our state. Thank you.

MR. CHAIRMAN: I think before we have a lunch, I wish to get rid of this agenda here. Next, annual report, FY-95, our coordinator will present that. Yeah, right now.

MR. ANDREW: The last section on '93/'94 report I suppose we'll use for a guideline. Section four, there's one, two, three, four, five, six, seven, eight -- eight pages of it.

This report is sent to the chairman of the Federal Subsistence Board from this advisory council. This is the report of the '93/'94 -- was originally the '93/'94 report, because we were not told at that time to make the report. We were told that the chairman will compile and complete this report, and I was told by the chairman to compile this report after reviewing some of their other reports and use those as a guideline.

I will read this in Yupik, and if there needs to be any changes, or if you want to add to this, you may. I will mention some things that need to be added when this is done.

First, there were ten councils that were appointed August of '93 throughout Alaska. This council first met on October 20, 1993, and then next January 26/27, '94, and May 13, 1994, in the spring, and then on October 4 and 5 of '94, and in March 1 and 2, '95, is a part of -- will be a part of the new annual report.

This annual report is divided into four parts. Part one summarizes background about region five; secondly, to identify about preliminary terms current within the region as mandated by Section 805. It discusses major issues discussed by the -- on October.

Part three focus is on issues requiring immediate attention and resolution as brought up by people that have testified and as discussed by the council in their meetings.

Part one contains boundaries of Unit 18. Those are the same as the boundaries of Unit 18.

THE INTERPRETER: He's basically doing a summary of this letter in Yupik.

MR. ANDREW: Land ownership in the -- in this region is complex, comprised of various State and Federal lands. Both the Fish & Wildlife Service and the Bureau of Land Management manage Federal public lands in the region. There are no roads in the region. Connections to other Alaska communities, such as Anchorage and Juneau, are by air. Major rivers, such as Yukon and Kuskokwim, serve as travel corridors for boat and snowmachine travel, and Bethel serves as the regional service hub for the region, and as such, is also the largest community.

The region is comprised of the entire Wade Hampton consensus area and a portion of the Bethel consensus area. The council represents approximately 18,000 residents in 39 communities.

These are different from the attachment that was sent to you previously and that were sent to other agencies.

87 percent of the area population are Alaska Native and the per capita income in the region is the lowest in the state, averaging 6519 in the Wade Hampton consensus area.

There are numerous shallow lakes and connecting tributaries in the area which support freshwater and anadromous fish,

numerous varieties of waterfowl, furbearing animals, large game such as moose and musk ox, which are starting to be visible. Wild greens and berries are also available, fish, halibut and other fish sources that are used for food.

And under this area from Tuluksak, down, mentioning these villages in the Yukon-Kuskokwim region downriver, there's a list on page three, those are the villages that are covered in this area.

And the following is a list of most of the species of subsistence fish. On the first are the fish coming from the ocean, chinook, sockeye, pink, coho, halibut, tomcod, flounder, sole, grayling, pike, herring, suckers, whitefish, and there are four subspecies of whitefish, sheefish, trout, lake trout. Then lake fish, smelts, eel, blackfish, needlefish and capelin, whatever it is.

Fish are probably the single most important resource type to subsistence users in the region, comprising over 80 percent of the total pounds of wild edible food harvested in some communities. And these are eaten by people way upriver, including all the way downriver, particularly fish is the most common source of food. All this fish that are mentioned here, we all use, and the small furbearing animals, mammals, waterfowl, plant life, berries.

And regional issues that were brought up in '93/'94 in that area, at that time moose was not open in Unit 18, downstream Mountain Village. This issue was identified by the '93 council efforts. It was at that point to management plan in September, and moose was open in September 25, '94.

The Holitna drainage, Unit 19, this other -- the 400 dollar permit was also brought up. There was a concern at that time.

And another concern was the Yukon River fall chum crisis, river fall chum salmon to return in adequate numbers, which resulted in closures along the Yukon River.

Another concern was the low density of moose along the lower Yukon River. This was the first recommendation, a recommendation that although there are closures of all chums, that they be opened to subsistence users.

And another concern was the interception of salmon by non-local fisheries, particularly in the high seas. The concern was the migration of caribou, which did not -- a lot of times did not reach their migration destinations because of interception of harvest. They had wanted the migration to go beyond the drainage area where they were caught.

THE INTERPRETER: Basically he just covered the recommendations one, two and three on page six and seven.

MR. ANDREW: In 1995, when we make our report, we will include these concerns with just a few additions. That report will include our meeting today and what we have covered and the last meeting from March, which was in Mountain Village.

Under furbears, we will make an amendment. Up in the mountains there are called tiny ptarmigan. There will be changes to the wording, as they apply to squirrels. This is brought before -- or brought up by Pat (indiscernible), and he mentioned that we forgot one important food source, which is the spotted seal. And marine mammal, marine mammal segment, I told him I overlooked that because I am not from the coastal area.

I think this is -- this is that -- this is it. But for those of you in the council, if you have anything to add or if

you want to make some changes, we can do it today or later.

MR. MANUMIK: Mr. Chairman, this recommendation number three, I would like it amended to include also to establish the breeding grounds, reestablish their breeding grounds, caribou.

MR. ANDREW: Reestablish their migratory grounds.

THE INTERPRETER: To research the migratory areas and breeding grounds, the Yukon advisory council would like to see the western Arctic caribou herd reestablish traditional migratory area and breeding grounds.

MR. ANDREW: Table for next meeting.

THE INTERPRETER: Paul would like this to be brought up at the next meeting, like to elaborate on it at the next meeting.

MR. ANDREW: Mr. Chairman, perhaps you can call a special meeting to put together -- or to deal with some of the things that have been brought up since yesterday, some of their requests and proposals that have come up. Perhaps we could meet after AFN, before the next meeting.

MR. DAVID: Mr. Chairman, I think it would be good if we have a special meeting to deal with these things that were brought up, because we will have issues to deal with at our next regular meeting.

MR. ANDREW: You will be able to meet at whenever you would like to meet.

MR. CHAIRMAN: We will maybe be able to work with John and the rest of the staff and pick up certain day for special meeting, and then we notify -- before we make a decision, we notify what is the days, the best time for the board to have a special meeting, council will attend, I think the best way to do it.

This is just a report. We will wait for a special meeting to make these changes and to approve amendments.

There's a motion on the floor to accept this report.

MR. PELTOLA: I second.

MR. NICOLAI: Second.

MR. CHAIRMAN: Seconded by Moses. Discussion on the motion?

MR. PELTOLA: Question.

MR. CHAIRMAN: Question being called for. All in favor say aye.

IN UNISON: Aye.

MR. CHAIRMAN: Opposed, say no.

(No response)

MR. CHAIRMAN: Motion carried.

MR. ANDREW: Thank you.

MR. CHAIRMAN: Next on our agenda, one of the last two is -- did we have an open floor for sub D, subpart D proposal? We did.

MR. COFFING: Yeah.

MR. CHAIRMAN: Let's go down to regional council training needs before other new business. Region council training needs, do we need more training, or what do we need?

MR. PELTOLA: Mr. Chairman, I would like to see the biological status reports of some of the main renewable resources that people are depending upon within the refuge. I'd like to see the reports from -- on the Arctic nesting geese, I'd like to see the biological status reports of the current status of moose in the refuge, items that -- renewable resources that residents within the

refuge are dependent upon for subsistence purposes.

MR. CHAIRMAN: Now?

MR. PELTOLA: Not now. Some time in the future.

MR. CHAIRMAN: Maybe prepare for our next meeting, it could be done.

MR. PELTOLA: Yeah, or else just a mail-out so we have the information.

MR. CHAIRMAN: Or send the information out to the boards. Could be done.

Okay. Next to last, is there any other new business?

MR. DAVID: Mr. Chairman, before we go on to new business, we'd like to advise John to get a gavel before the next meeting.

MR. CHAIRMAN: Is there any other new business?

THE INTERPRETER: Walrus tusk, they want a walrus tusk for a gavel.

MR. CHAIRMAN: Is there any other new business?

(No response)

MR. CHAIRMAN: If there's not, establish time and a place for next meeting. Before we do this, let me say this. You know, we were scheduled to have meet at this time. It was invitation when we have a meeting at Mountain Village, we were invited by Chuck Chaliak to have a meeting in their area, but -- what's wrong with that? You said that we got no money to meet in any other villages, only in Bethel?

Gene.

MR. PELTOLA: I'd just like to point out, it was mentioned yesterday that the next scheduled meeting would be somewhere around the latter part of January or first of February. I would recommend that we do not have a meeting during February 1 to February 10. I'll be up in 21E moose hunting.

MR. CHAIRMAN: So what we got here?

MR. BRELSFORD: Mr. Chairman, the calendar that I've just passed out is the same one in your book, except that the two councils that met last week already scheduled their times and so those days are marked in the handout. It would be good if the councils didn't overlap too much.

So that first week in February now has a council meeting for Southcentral council scheduled and a council meeting for the Southeast Regional Council scheduled, so if you guys could go before or after that week, that would be the best. And I think that corresponds to the week you wanted not to meet, Gene.

But that's the purpose of the calendar, is to show already scheduled council meetings in the wintertime.

MR. CHAIRMAN: Okay. Some of you guys will be not available on some days and some time, and I would like to have some kind of poll that you could attend certain day for a couple days. What day would be the best time?

MR. PELTOLA: What about the week of February 12th?

MR. CHAIRMAN: Lincoln's birthday.

MR. PELTOLA: I would say Monday would be a travel day because a lot of villages don't have scheduled flights on Sunday. So what about the 13th, 14th?

MR. CHAIRMAN: 13, 14.

(Proceedings not translated)

MR. CHAIRMAN: As long as we didn't do like what we're

doing right now. Today -- yesterday, or when we start out, is supposed to be State election day and we have to -- seems to me nobody respect anything. I kind of feel bad. I didn't want to hold a meeting during election.

MR. MANUMIK: Mr. Chairman, when is self-governance week?

MR. PELTOLA: I don't know about when the self-governance meeting is scheduled. We don't have them scheduled yet.

MR. MANUMIK: What week is it, is that held?

MR. PELTOLA: If you remember, it's actually the second week. That would be a bad week, yeah. What about February 19th?

MR. CHAIRMAN: I don't know. I'll be available whenever --

MR. MANUMIK: 19th?

MR. PELTOLA: 19th and 20th?

MR. CHAIRMAN: 19 and 20th, travel day on Monday? That's for, what -- is this for -- it's not for special -- this is regular?

MR. PELTOLA: Regular meeting. And where are you going to meet?

MR. ANDREW: Mr. Chairman, I think it's best to try to hold it on like Tuesday and Wednesday, because a lot of times the regional office is not open on Sunday or Saturdays. There's nobody to be there for us.

MR. PELTOLA: 19th is a holiday, so what about February 20th and 21st?

MR. CHAIRMAN: 20 and 21st? What do we do with Ash Wednesday?

MR. PELTOLA: Go to church in the morning.

MR. CHAIRMAN: Church in the morning? Whenever or whichever you guys want.

MR. MANUMIK: We had Ash Wednesday meeting in Mountain Village.

MR. CHAIRMAN: Yeah. Okay. Let's do it on February 20th, travel day, and meeting start 9:00 in the morning, 8:00 in the morning February 21. Will that be okay?

MR. DAVID: Is that to be a regular meeting?

MR. CHAIRMAN: Yeah, it's a regular meeting. At where?

MR. CHALIAK: (Not translated)

MR. CHAIRMAN: You'll be -- you'll be ready then?

Okay. We are invited by Chuck Chaliak at Nunapitchuk, February -- travel day February 20, February 21, 22 at Nunapitchuk. Randy will be able to walk from here, then.

Okay. So that's where the meeting place will be for next meeting.

If there's any other business --

MR. PELTOLA: I move for adjournment.

MR. CHAIRMAN: Before we adjourn, I'm going to ask Antone Anvil to have a benediction and then we're adjourned.

(Benediction)

MR. CHAIRMAN: Motion on the floor to adjourn?

It was already? Then we're adjourned.

(Proceedings adjourned at 11:45 a.m.)

CERTIFICATE

I, KARYN H. CHALEM, Registered Professional Reporter and Notary Public in and for the State of Alaska, do hereby certify:

That the proceedings were taken before me at the time and place herein set forth; that the testimony and proceedings were reported stenographically by me and later transcribed under my direction by computer transcription; that the foregoing is a true record of the testimony and proceedings taken at that time; and that I am not a party to nor have I any interest in the outcome of the action herein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 10th day of October 1995.

KARYN H. CHALEM

Notary Public for Alaska

My Commission Expires: August 15, 1999